



**City of Smithville, Missouri**  
**Board of Aldermen – Regular Session Agenda**  
**July 19, 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](mailto:ldrummond@smithvillemo.org) prior to the meeting to be sent the meeting Zoom link.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Proclamation**
  - 40 Years of Service – Robert Matthews

Join Zoom Meeting  
<https://us02web.zoom.us/j/84111377917>  
Meeting ID: 841 1137 7917  
Passcode: **403129**

4. **Consent Agenda**
  - **Minutes**
    - June 21, 2022, Board of Aldermen Work Session Minutes
    - June 21, 2022, Board of Aldermen Regular Session Minutes
  - **Finance Report**
    - June 2022
  - **Resolution 1085, Sports League Contract**

A Resolution authorizing and directing the Mayor to enter into an agreement with the Smithville Warrior Youth Football Club for the use of city park land.
  - **Resolution 1086, Adopting Amendments to the Employee Handbook**

A Resolution adopting the amendments to the Employee Handbook.
  - **Resolution 1087, Special Event Permit**

A Resolution approving issuing the special event permit to the Eric Craig Real Estate team for "Festiville" to be held in the downtown courtyard on Saturday, August 13, 2022.
  - **Resolution 1088, City Surplus Property**

A Resolution declaring certain city items as surplus.
  - **Resolution 1089, Purchase of John Deere Cold Planer**

A Resolution approving the purchase of a John Deere Cold Planer from Heritage Tractor through the cooperative purchase agreement for the Street Department in the amount of \$18,500.
  - **Resolution 1090, Repair to the Senior Center**

A Resolution authorizing repairs to the Senior Center in an amount not to exceed \$7,880.

## REPORTS FROM OFFICERS AND STANDING COMMITTEES

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### 5. Committee Reports

Economic Development Committee  
Legacy Fund Committee  
Planning and Zoning Commission

### 6. City Administrator's Report

## ORDINANCES & RESOLUTIONS

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### 7. Bill No. 2947-22, Creating a Donation Fund – 2<sup>nd</sup> Reading

An Ordinance approving the creation of the Donation Fund to hold the donations for the intended purpose. 2<sup>nd</sup> reading by title only.

### 8. Bill No. 2948-22, Rezoning 211 North Bridge Street – 2<sup>nd</sup> Reading

An Ordinance approving rezoning 211 North Bridge Street from R-3 to B-4. 2<sup>nd</sup> reading by title only.

### 9. Bill No. 2949-22, Rezoning Dibbens Estate – 2<sup>nd</sup> Reading

An Ordinance approving rezoning Dibbens Estate at 13916 N. Virginia, from A-1 to A-R. 2<sup>nd</sup> reading by title only.

### 10. Bill No. 2950-22, Amending the General Fund Reserve Policy – 1<sup>st</sup> Reading

An Ordinance amending the General Fund Reserve Policy adjusting the General Fund Reserve Policy from 40% of budgeted operating expenditures to 25%. 1<sup>st</sup> reading by title only.

### 11. Bill No. 2951-22, Rezoning Eagle Ridge Commercial Property – 1<sup>st</sup> Reading

An Ordinance approving rezoning Eagle Ridge Commercial property at 561 S. Commercial from B-1P to B-3. 1<sup>st</sup> reading by title only.

### 12. Resolution 1091, Final Plat Dibbens Estate

A Resolution approving the final plat for Dibbens Estate to create two additional lots at the southwest corner of Amory Road and Virginia Avenue.

## OTHER MATTERS BEFORE THE BOARD

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### 13. 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.**

### 14. Appointment

The Mayor will nominate an appointment to the Parks and Recreation Committee and the Board will vote:

Hailey Kellerstrass  
Dani Wilson - reappointment

### 15. New Business From The Floor

Pursuant to the order of business policy, members of the Board of Aldermen may request a new business item appear on a future meeting agenda.

### 16. Adjournment to Executive Session Pursuant to Section 610.021(1 & 2)RSMo.





## **A Proclamation**

### **Honoring Robert Matthews for Forty Years of Consecutive Service**

**WHEREAS**, we are here today to express special recognition to Robert Matthews and to honor him for his distinguished consecutive forty- year career with the City of Smithville; and

**WHEREAS**, Robert actually began his career with the city as a Police Officer in 1971 but left that position after seven years; and

**WHEREAS**, Robert returned to the city in 1982 as a maintenance worker in the street department. Throughout his forty-year career he has installed all types of city infrastructure from water and sewer lines, storm sewer, streets, maintained the water and sewer plants and mowed miles and miles of city land; and

**WHEREAS**, Robert currently holds the position of Senior Maintenance Worker in the Street Department of Public Works; and

**WHEREAS**, Robert exemplifies true dedication to public service through his caring and exceptional quality of work.

**NOW, THEREFORE**, I, Damien Boley, Mayor of the City of Smithville, do hereby proclaim Wednesday, July 20, 2022 as:

### ***Robert Matthews Appreciation Day***

in the City of Smithville and encourage our community to recognize and celebrate his 40 plus years of service to the City of Smithville.

**PROCLAIMED** this 21<sup>st</sup> day of July 2022.

By \_\_\_\_\_  
Damien Boley, Mayor  
City of Smithville



## Board of Alderman Request for Action

**MEETING DATE:** 7/19/2022

**DEPARTMENT:** Administration

**AGENDA ITEM:** Consent Agenda

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### **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 21, 2022, Board of Aldermen Work Session Minutes
- June 21, 2022, Board of Aldermen Regular Session Minutes

#### **Finance Report**

June 2022

#### **Resolution 1084, Sports League Contract**

A Resolution authorizing and directing the Mayor to enter into an agreement with the Smithville Warrior Youth Football Club for the use of city park land.

#### **Resolution 1085, Adopting Amendments to the Employee Handbook**

A Resolution adopting the amendments to the Employee Handbook to reflect .

#### **Resolution 1086, Special Event Permit**

A Resolution approving issuing the special event permit to Eric Craig Real Estate team for "Festi-ville" to be held in the downtown courtyard on Saturday, August 13, 2022.

#### **Resolution 1087, City Surplus Property**

A Resolution approving the sale of surplus City property.

#### **Resolution 1088, Purchase of Cold Plainer**

A Resolution approving the purchase of a Cold Plainer from Heritage Tractor in the amount of \$

#### **Resolution 1089, Repair to the Senior Center**

A Resolution awarding Artay's Stucco, the soul source contractor, for the repair of the Senior Center for the amount not to exceed is \$7,880

### **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 21, 2022, 5:00 p.m.

City Hall Council Chambers and Via Videoconference

### 1. Call to Order

Mayor Boley, present, called the meeting to order at 4:59 p.m. A quorum of the Board was present: Kelly Kobylski, John Chevalier, Ronald Russell and Marv Atkins and Dan Ulledahl. Dan Hartman joined the meeting at 5:30 p.m.

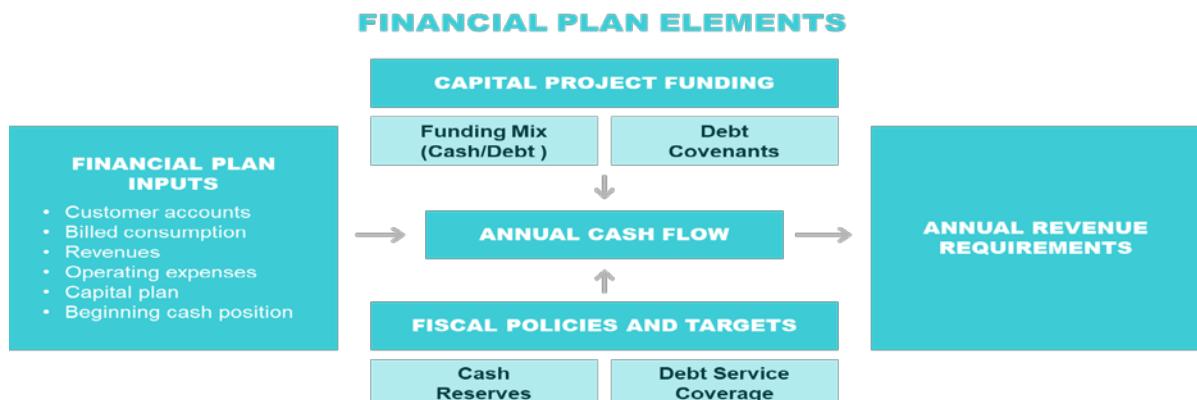
Staff present: Cynthia Wagner, Anna Mitchell, Chief Jason Lockridge, Stephan Larson, Chuck Soules, Gina Pate, Matt Denton, Jack Hendrix and Linda Drummond.

Cynthia noted that this is continuation of review of items that will be presented as part of the budget process. The information presented tonight will go into the recommended budget presented to the Board in August. Cynthia explained that over the course of the next several work sessions staff will be presenting information result of work at the governing body retreat last month, including the sidewalk program discussion that will be presented this evening. Over the next few weeks, we will also be discussing employee compensation and benefits, staffing and the street overlay program. All of these items were identified as priorities by the Board at the retreat. She noted that staff will be providing information as part of this process and will be looking for direction as what to include in the budget that will be presented on August 16.

### 2. Utility Rate Study – Presentation by Raftelis

Stephen Larson, Finance Director, introduced Tom Beckley, consultant from Raftelis and thanked them for the work they did. Stephen noted that the board approved a Resolution a few months ago that engaged Raftelis to do a utility rate study. The information they are presenting will have recommendations for next year's budget for the water and sewer rates along with a long-range plan.

Tom Beckley noted this utility rate study was very similar to the study they did for the City about 5 years ago and the recommendations of the original study were implemented. He explained that this time around there so much more significant investments that need to be made in both the water and sewer system to accommodate growth within the city. The impact that need will be noted in utility rates.



- Our approach involves collaboration with the Agency so that the forecast is as accurate and reality-based as possible.
- We are comfortable working with diverse stakeholders from senior management, engineering, and finance staff to ensure we get it right.
- If you look at our backgrounds, as I am sure you have you can see that John is an engineer and has his CFA, others have backgrounds in environmental economics, hard science, and public financial management.
- We are passionate about this work and comfortable with the nuance required.
- Ultimately we demonstrate our value and succeed when we can be your technical experts but also help to communicate decision-making and results using concise, clear, and simple language to communicate in the regulatory and political realm as well.

### Current Rates

- Fixed monthly charge based on meter size.
- Volume charge per 1,000 gallons of water used

Current Rates	Water	Sewer
<b>Service Charge</b>		
1" or Smaller	\$ 11.77	\$ 16.02
2"	55.62	77.46
3"	109.15	164.52
4"	170.29	238.13
6"	339.92	474.42
<b>Volume Rate (1,000 Gal.)</b>		
Retail	8.33	6.68
Wholesale	4.98	

### Financial Plan Assumptions

- Demand
  - 350 total new accounts from 2023 to 2025, then 25 per year
  - -1.5% water use per retail account each year
  - Demand elasticity of .25 – for every 10% rate increase, customers will reduce their water use by 2.5%
- Inflation
  - 5% in 2024 and 2025, then 3% annual increases for salaries and general expenses
  - 8% benefits each year
- Reserve target of 25% of O&M and debt service

### Capital Improvement Plan

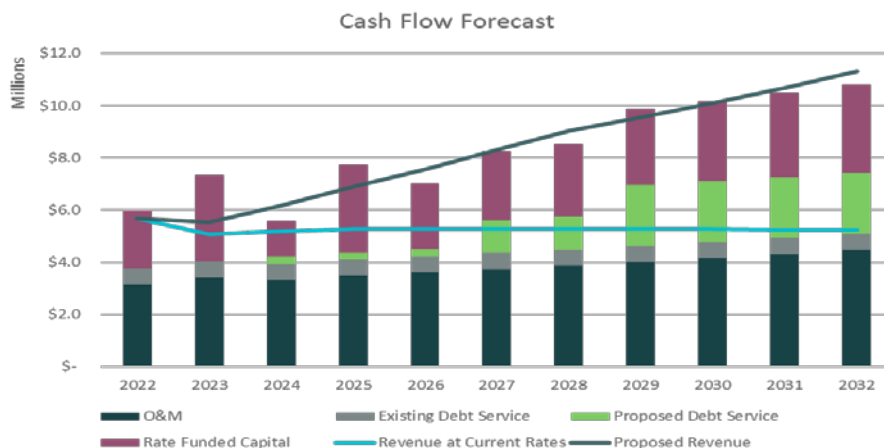
- Water Treatment Plant
  - \$1 million improvement project in 2023
  - \$16 million expansion in 2028
- Distribution System
  - Miscellaneous projects identified through 2024
  - Forecasted \$1.5 million per year from 2025 – 2032 for additional projects

- Wastewater Treatment Plant
  - \$6.9 million expansion in 2026
- Collection System
  - \$4.2 million for 144<sup>th</sup> Street and West Bypass Lift Stations
  - \$5.3 million Owens Branch Gravity Lines
  - \$500 thousand per year ongoing for future projects

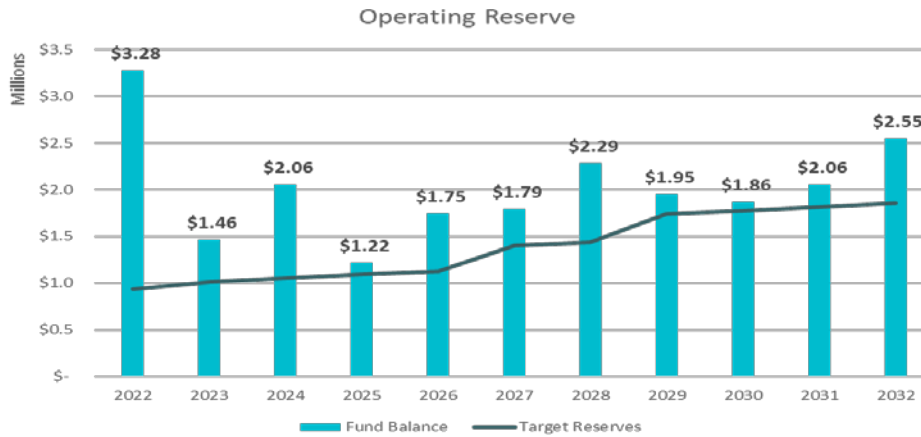
### Rate and Financing Recommendations

- Increase water rates by 8.5% each year from 2023 to 2032
- Increase sewer rates by 15% each year from 2023 to 2028, then 5%
  - › Combined water and sewer bill increase of about 12% per year
- Issue bonds for:
  - › 144<sup>th</sup> Street and West Bypass Lift Stations in 2023
  - › Wastewater Treatment Plant engineering and construction in 2024
  - › Owens Branch Gravity Line 1 in 2024
  - › Owens Branch Gravity Line 2 in 2025
  - › Water Treatment Plant Expansion engineering and construction in 2026
- Total bond issues of \$34 million
- Total annual debt service of \$2.7 million in 2029

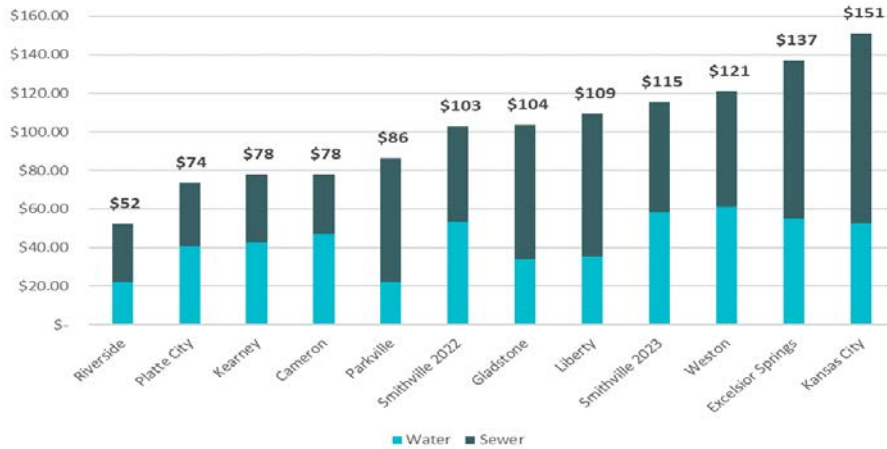
### Cash Flow Forecast



## Operating Reserve



## Water and Sewer Bill Comparison – 5,000 Gallons



## Customer Impacts

Combined Bills		FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
		Actual	Forecast	Forecast	Forecast	Forecast	Forecast
<b>Meter Size</b>	<b>Volume</b>						
1" or Smaller	3	\$ 72.82	\$ 81.40	\$ 91.05	\$ 101.92	\$ 114.18	\$ 128.03
1" or Smaller	5	102.84	114.86	128.37	143.58	160.72	180.07
1" or Smaller	10	177.89	198.51	221.67	247.73	277.07	310.17
2"	20	433.28	484.03	541.13	605.47	677.99	759.88
2"	50	883.58	985.93	1,100.93	1,230.37	1,376.09	1,540.48
4"	100	1,909.42	2,131.62	2,381.41	2,662.70	2,979.53	3,337.08
4"	1,000	15,418.42	17,188.62	19,175.41	21,409.70	23,922.53	26,755.08
6"	10,000	150,914.34	168,214.41	187,627.60	209,455.74	234,000.89	261,665.41
Combined Annual Increase			11.69%	11.76%	11.85%	11.94%	12.04%
Cumulative Combined Increase			11.69%	24.82%	39.61%	56.28%	75.10%

## Proposed Rates

Water Rates	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
	Actual	Forecast	Forecast	Forecast	Forecast	Forecast

### Service Charge

1" or Smaller	\$	11.77	\$	12.78	\$	13.87	\$	15.05	\$	16.33	\$	17.72
2"		55.62		60.35		65.48		71.05		77.09		83.65
3"		109.15		118.43		128.50		139.43		151.29		164.15
4"		170.29		184.77		200.48		217.53		236.03		256.10
6"		339.92		368.82		400.17		434.19		471.10		511.15

### Volume Rate (1,000 Gal.)

Retail	\$	8.33	\$	9.04	\$	9.81	\$	10.65	\$	11.56	\$	12.55
Wholesale		4.98		5.41		5.87		6.37		6.92		7.51

Sewer Rates	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
	Actual	Forecast	Forecast	Forecast	Forecast	Forecast

### Service Charge

1" or Smaller	\$	16.02	\$	18.43	\$	21.20	\$	24.38	\$	28.04	\$	32.25
2"		77.46		89.08		102.45		117.82		135.50		155.83
3"		164.52		189.20		217.58		250.22		287.76		330.93
4"		238.13		273.85		314.93		362.17		416.50		478.98
6"		474.42		545.59		627.43		721.55		829.79		954.26

Volume Rate (1,000 Gal.)	\$	6.68	\$	7.69	\$	8.85	\$	10.18	\$	11.71	\$	13.47
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## Impact Fees

### Impact Fee Overview

- Estimate of the cost of providing a unit of capacity
- Fees based on meter size, since potential capacity is proportional to the flow through each meter
- Ensure that new customers are on equal equity footing with existing customers

Impact Fee Schedule	Current			Proposed		
	Water	Sewer	Total	Water	Sewer	Total

### Meter Size

1"	\$	2,400	\$	2,800	\$	5,200	\$	3,100	\$	2,800	\$	5,900
2"		4,800		5,600		10,400		9,900		8,960		18,860
3"		7,200		8,400		15,600		21,660		19,600		41,260
4"		9,600		11,200		20,800		38,980		35,280		74,260
6"		14,400		16,800		31,200		86,610		78,400		165,010



## Impact Fee Comparison – Single



Family

## Residential

Alderman Ulledahl asked how Smithville compares to other communities with the six-inch meter size with going from \$14,000 to the proposed \$165,010 for impact fees?

Tom explained that they all have similar structures for the larger meters.

Alderman Ulledahl asked how long we have been that far behind the curve in charging that low of a fee?

Tom said that he could only speculate that the meter size cost was set up based on a two-inch should be two times the cost, a four-inch four times, a six-inch six times the cost. He noted that is not the way it should be, and the proposed fees are not out of line with other communities.

Tom asked how many six-inch meters the City had?

Cynthia said that so much of the City's past growth has been residential and we have not had the larger meters. The larger meters are used for the school district and the hospital.

Mayor Boley explained that even Price Chopper only has a two-inch meter. Tom noted that anyone needing a six-inch meter would be large commercial multi-million project.

Alderman Russell asked Tom how charging the new residential customers the proposed \$3,100 for one-inch meters will put them on equal footing with the existing customers who paid \$2,400 for the one-inch meter? He also asked where the \$3,100 amount came from, is there a formula Raftelis used?

Tom explained what he meant by equal footing was the existing treatment plant, distribution system and collection system there is capacity to service new houses and businesses. He said that there is equity in that system just like you have equity in your home. All the equity has been paid for by the existing customers and when someone builds a home and is now on our system, they are getting the benefits of that equity. Tom explained that the impact fees represent what that equity is worth. The impact

fee equals the value to serve a single-family house based on the assumptions Raftelis used to connect to the system. It is the value of the utilities a customer is receiving and by paying this upfront payment it puts the new customers on equal equity footing and moving forward the new resident will be paying the exact same rate as the existing customers.

Tom explained that there are two ways to calculate this fee. There is the system buy-in methodology and the marginal incremental methodology. The system buy in is based on all the existing assets and what they actually cost and the marginal incremental is based on what it is going to cost to replace the new capacity. Tom explained that it was not calculated in the past for expansion but now they have a good idea for pricing for what a new water and sewer treatment plants cost would be. He noted that like with anything, water and sewer treatment has gotten more expensive.

Alderman Russell asked how some communities are able to charge \$0 for impact fees?

Tom explained that their existing customers will bear the cost of expansion. He noted that water and sewer treatment plants have to be built for much larger capacity, so they are ready for new customers.

Alderman Atkins asked in past experiences with other communities had Raftelis suggested a yearly 12% increase?

Tom explained they have suggested even larger increases.

Mayor Boley said he thought when Kearney put theirs in place in the last year or so they had a 20% increase.

Alderman Russell noted that there would probably be push back in the community on the 12% increase.

Tom noted that if the growth occurs then there will be the need for the new treatment plant expansion and will need them both at the same time which is challenging.

Cynthia noted that this morning we had an example of an aging infrastructure with a larger water main break, so not only do we need to build the new, we have to maintain our existing infrastructure, which comes at a cost.

Cynthia explained that based on discussion at the Board retreat and in working with Raftelis, the proposed rate study also includes a discount for seniors that mirrors what was done for trash.

Alderman Atkins said that there will need to be a lot of communication to the residents for this.

Cynthia said these rates will not go into effect until the Board would approve them and we are required to hold a public hearing for wastewater rates. These will not occur until after the budget discussion process.

Tom noted that customers usage is declining one and a half percent a year. The City faces the same inflationary pressures as everyone, which in good times is around three percent a year. He explained that if you look at one and a half percent decrease in usage and three percent inflation a year, we would have to raise rates four and a half percent just to break even without making these significant capital investments.

### 3. Discussion of Schedule of Fees

Stephen Larson, Finance Director, noted staff prepared a presentation for Board discussion and feedback on the proposed changes for the fiscal year 2023 schedule of fees. These fees will be brought forward for Board approval in October and implementation would be November 1, 2022. Stephen gave special thanks to Gina Pate, Management Analyst for Public Works and Myra Ore, Finance Analyst for the Finance Department for their involvement and their research and recommendations.

#### Residential Plan Review Fees New Structures & Additions

New Structures & Additions	FY22 (Current)	FY23 (Proposed Cost and Time to Review)
0 – 2,000 Sq. Feet (NEW)	No Fee	\$100.00 (2 Hours)
2,001 to 4,000 Sq. Feet (NEW)	No Fee	\$125.00 (2.5 Hours)
4,001+ Square Feet (NEW)	No Fee	\$150.00 (3 Hours)

*\$50.00 Hourly Rate – Building Inspector*

#### Residential Plan Review Fees Alterations /Basement Finish

Alterations/Basement Finish	FY22 (Current)	FY23 (Proposed Cost and Time to Review)
Non-Structural (NEW)	No Fee	\$50.00 (1 Hour)
Structural Changes & Egress Changes (NEW)	No Fee	\$65.00 (1 Hour, 20 Min)
Structural/Decks (NEW)	No Fee	\$25.00 (30 Min)

*\$50.00 Hourly Rate – Building Inspector*

#### Commercial Plan Review Fees New Construction, Alterations, Additions

New Construction, Alterations, Additions	FY22 (Current)	FY23 (Proposed Cost and Time to Review)
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0 – 2,500 Sq. Feet (NEW)	No Fee	\$385.00 (7.75 Hours)
2,501 – 4,500 Sq. Feet (NEW)	No Fee	\$650.00 (13 Hours)
4,501 – 10,000 Sq. Feet (NEW)	No Fee	\$1,300.00 (26 Hours)
10,001 – 50,000 Sq. Feet (NEW)	No Fee	\$1,850.00 (37 Hours)

New Construction, Alterations, Additions	FY22 (Current)	FY23 (Proposed Cost and Time to Review)
50,001 – 100,000 Sq. Feet (NEW)	No Fee	\$3,250.00 (65 Hours)
100,001+ Sq. Feet (NEW)	No Fee	Actual Hours Worked

*All commercial categories except industrial/storage*

#### **Commercial (Industrial) Plan Review Fees New Construction, Alterations, Addition**

New Construction, Alterations, Additions	FY22 (Current)	FY23 (Proposed Cost and Time to Review)
0 – 100,000 Sq. Feet (NEW)	No Fee	\$600.00 (12 Hours)
100,001+ Sq. Feet (NEW)	No Fee	Actual Hours Worked

#### **Commercial Plan Review Fees Commercial Tenant Finish**

Commercial Tenant Finish	FY22 (Current)	FY23 (Proposed Cost and Time to Review)
Non-Structural Finish (NEW)	No Fee	\$150.00 (3 Hours)

Structural Finish (NEW)	No Fee	\$200.00 (4 Hours)
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Alderman Chevalier asked if it would be better to just use actual hours worked versus estimated hours fees especially if the review was done in a shorter period of time.

Jack Hendrix explained that builders prefer to know, especially for the residential side. He said that staff has years of reviewing the plans, so they know how much time it takes and it is really close to the proposed hours. He noted that it would cost staff more time to have to calculate it and bill it every time. He explained on the bigger projects they are figured on the actual hours worked because the commercial plan could be 90 plus pages with all the details and takes a lot more time to review. Staff figured the cost based on what we have been paying IBTS for those services.

Alderman Russell noted that it might be better to remove the hours and only have the fee.

Jack explained that it would be in the final, this is just for Board review and discussion.

Alderman Ulledahl asked how these fees compare to other communities?

Jack explained that we are close to the middle. He noted that if a plan is used more than once by a builder the review fee is only charged one time.

Alderman Hartman noted that he understands the need to collect the fees for staff time. He said that the builder will inevitably pass the fee on to the consumer.

Jack explained that the last time staff brought this to the Board was in 2011 and there was no interest due to the economy.

### **Parks and Recreation City Wide Event Fees**

Events Fees	FY22 (Current)	FY23 (Proposed)
Parade Fee (Paid By Organizer) (NEW)	No Fee	\$100.00 + \$200.00 Deposit

### **Street Closures Fees – For Events**

Street Closure Fees	FY22 (Current)	FY23 (Proposed)
Street Closure (Public) (Adjacent Streets - Courtyard Park) (NEW)	No Fee	\$125.00 + \$200.00 Deposit

Street Closure (Private) (Adjacent Streets - Courtyard Park) <b>(NEW)</b>	No Fee	\$275.00 + \$200.00 Deposit
Street Closure (Public) (Entire Downtown) <b>(NEW)</b>	No Fee	\$150.00 + \$200.00 Deposit
Street Closure (Private) (Entire Downtown) <b>(NEW)</b>	No Fee	\$300.00 + \$200.00 Deposit

#### Campground – Items for Purchase

Items for Purchase	FY22 (Current)	FY23 (Proposed)
Bag of Ice	\$2.00 / Bag	\$4.00 / Bag
Bundle of Firewood	\$5.00 / Bundle	\$8.00 / Bundle

#### Youth Recreation Fees

Items for Purchase	FY22 (Current)	FY23 (Proposed)
Basketball League	\$65.00 / Child	\$75.00 / Child
Baseball League	\$55.00 / Child	\$75.00 / Child
Softball League	\$55.00 / Child	\$75.00 / Child
T-Ball League	\$35.00 / Child	\$55.00 / Child

Items for Purchase	FY22 (Current)	FY23 (Proposed)
Soccer League	\$55.00 / Child	\$75.00 / Child
Soccer Clinic	\$35.00 / Child	\$55.00 / Child
Volleyball League	\$55.00 / Child	\$75.00 / Child



### City Facility Rental Discounts

Facility Rental Discounts	FY22 (Current)	FY23 (Proposed)
City Employee Rental (Senior Center, Shelters, Green Spaces)	No Discount	50% Discount + Deposit

*Non-Peak Rental Times*

Alderman Chevalier asked to consider waiving the parade fee for the school district events.

Matt Denton, Parks Director noted that we could handle the school district events with the same process as when the City sponsors special events.

Mayor Boley suggested that the Homecoming Parade or any school parade or event held at the Courtyard be in the policy as City sponsored annual event that can be approved by the Mayor or City Administrator.

Cynthia said that it could be added to the schedule of fees.

Stephen noted that he would add the school district's fees will be waived to the draft schedule of fees that will be brought forward during the budget discussion.

Alderman Russell asked why the fee for the basketball league only had a \$10 increase when the others had a \$20 increase?

Matt explained that when staff took over the basketball league in 2019 from the club that was running the program, they were charging \$65. This is just making the fees the same across the board.

### Hourly Rates – Outside Employment

Outside Employment By Police Officers	FY22 (Current)	FY23 (Proposed)
Hourly Services (Excluding School District)	Fee Cost Recovers Hourly Rate With Benefits (\$45.00)	Fee Cost to Recover Time and a Half With Benefits (\$60.00)

### Police Reports and Videos

Police Reports & Videos	FY22 (Current)	FY23 (Proposed)
Police Reports	No Fee Charged (\$0.00)	\$5.00 / Report *
Police Videos	No Fee Charged (\$0.00)	\$5.00 / Video *

*\*Exception to \$5.00 Charge: If the charge carries the possibility of fifteen (15) days or more in jail/confinement, the defendant shall not be charged any fee for obtaining a police report or any video relevant to the traffic stop or arrest. In addition, the \$5.00 fee would be waived for victims listed in any report.*

Alderman Ulledahl asked if the \$5 fee was enough to cover staff time? He asked what the approximate time was to pull the reports and videos?

Chief Lockridge noted that we are probably undercutting the price for the video. He explained that the average video will take about 15-30 minutes depending on the request. He said that a simple traffic stop will take a lot less time than a DWI.

Alderman Ulledahl noted that it would take more time for the police reports if information had to be redacted.

Chief Lockridge agreed that the redaction piece does take time.

Alderman Ulledahl said he believed that both fees needed to be higher, the police report should be at least doubled, and the video should be even more than that.

Chief Lockridge noted that staff will pose the raising of the fees to the City attorney. He also explained that there is a state statute that says there are certain situations where fees cannot be charged.

Alderman Russell asked if there were exceptions as to what can be released and made public?

Chief Lockridge explained that once a report is released, we have no control over it. He noted that there are some reports and videos that cannot be released that all center around expectations of privacy, such as: a video inside a home, a video in a medical facility, something that is not in view of the general public cannot be released unless it is to someone that is involved, their legal counsel or their estate if they are deceased.

Alderman Chevalier asked if multiple officers and multiple videos were used for one situation would the fee be per video?

Chief Lockridge explained that we were just trying to have a flat fee across the board.

Alderman Chevalier said that he agreed the fee should be higher.

### **Sanitation Fees**

<b>Monthly Trash Charge</b>	<b>FY22 (Current)</b>	<b>FY23 (Proposed)</b>
Monthly Trash Charge	<b>\$18.37 / Month</b>	<b>\$19.29 / Month</b>
Senior Discount (15% Off Regular Price)	<b>\$15.62 / Month</b>	<b>\$16.40 / Month</b>

**5.00%** Proposed Increase on the Monthly Trash Charge and Senior Discount Rate

Stephen noted that GFL requested a 10% increase, but staff negotiated the 5% increase. HE explained that GFL also has incurred inflation costs with their fuel and

labor. They use a consumer price index (CPI) calculator to figure their inflation cost that is specific to the sanitation market.

Alderman Russell asked if there would be a possibility to lock in a rate of 5% for a longer period than a year maybe for three years to save money in the future?

Cynthia explained that the City has a 3-year contract with GFL that includes an escalation and review on an annual basis.

Chuck Soules, Public Works Director said he did not think GFL would even look at locking in a rate for three years.

Cynthia explained that we are in the second year of the current contract with GFL.

### Excavation Fees

Excavation Fee	FY22 (Current)	FY23 (Proposed)
One Time (Non-Franchise) ROW Excavation Permit (NEW)	No Fee	Permit Fee of \$20.00 + Calculated Cost Based Upon Street Cut, Curb Cut, and Sidewalk Cut
Annual Excavation Permit (Franchises of Facilities Within ROW) (NEW)	No Fee	Permit Fee of \$250.00 + Calculated Cost Based Upon Street Cut, Curb Cut, and Sidewalk Cut

\*Minimum charge of 1 sq foot for street cuts (\$20.00)

Stephen explained that this additional revenue would help offset expenses on street and sidewalk maintenance and that savings would allow for expansion of out mill and overlay program, pothole repair and crack sealing and sidewalk improvements.

### Annual Excavation Fee Permit Typical Franchisee Excavation – Cost Example

Fee and Itemized Breakdown	Cost Per Sq Ft.	Example Cost
Annual Permit Fee	\$250.00 / Permit Annually	\$250.00
Street Cut	\$20.00 / Square Ft**	45 Square Ft = \$900.00
Curb Cut	\$15.00 / Linear Ft	5 Linear Ft = \$75.00
Sidewalk Cut	\$10.00 / Square Ft	0 Square Ft = \$0.00
Grand Total Permit Fee*		\$250 (Permit) + \$975 (Fee) = \$1,225 (Total)

\*Costing example is for 1<sup>st</sup> cut and subsequent cuts would not include the permit fee

\*\*Minimum charge of 1 sq foot for street cuts (\$20.00)

Alderman Russell asked if the annual permit fee is good from the date of purchase or if it follows the City's fiscal year?

Stephen explained that it will be the date they purchased the permit, they would need to pay for any cuts to the street, sidewalk and/or curb as they do the work.

Stephen noted that the fees are similar to Platte City's excavation fees.

### **Snowbird Utility Charges**

<b>Snowbird Charges</b>	<b>FY22 (Current)</b>	<b>FY23 (Proposed)</b>
"Snowbird" Utility Reconnection Charge (NEW)	No Fee	\$50.00

*All Reconnection fees are charged at a rate of \$50.00 in the Schedule of Fees*

### **Proposed Changes – Water Rates**

<b>Water Rates</b>	<b>FY22 (Current)</b>	<b>FY23 (Proposed)</b>
Monthly Water Fixed Charge (3/4" Residential Meter)	<b>\$11.77 / Month</b>	<b>\$12.78 / Month</b>
Monthly Water Volume Charge	<b>\$8.33 Per 1,000 Gallons Used</b>	<b>\$9.04 Per 1,000 Gallons Used</b>
Wholesale Water Rate	<b>\$4.98 / 1,000 Gallons Used</b>	<b>\$5.41 / 1,000 Gallons Used</b>

*8.50% Proposed Increase on the Monthly Water Fixed Charge*

*8.50% Proposed Increase on the Monthly Water Volume Charge (Including Wholesale)*

### **Proposed Changes – Wastewater Fees**

<b>Wastewater Rate</b>	<b>FY22 (Current)</b>	<b>FY23 (Proposed)</b>
Monthly Wastewater Fixed Charge (3/4" Residential Meter)	<b>\$16.02 / Month</b>	<b>\$18.43 / Month</b>
Monthly Wastewater Volume Charge	<b>\$6.68 Per 1,000 Gallons Used</b>	<b>\$7.69 Per 1,000 Gallons Used</b>

*15.00% Proposed Increase on the Monthly Wastewater Fixed Charge*

*15.00% Proposed Increase on the Monthly Wastewater Volume Charge*

### Proposed Changes – Senior Fixed Charge

Senior Fixed Rate	FY22 (Current)	FY23 (Proposed)
Monthly Water Fixed Charge (3/4" Residential Meter)	No Senior Rate	\$11.77 / Month*
Monthly Wastewater Fixed Charge (3/4" Residential Meter)	No Senior Rate	\$16.02 / Month*

\*No proposed increase in the monthly water and wastewater fixed rate for seniors (Ages 65 and Older) from the current fixed charge fees

Alderman Ulledahl asked if the wording would be with the rate increase seniors will be receiving a 15% discount?

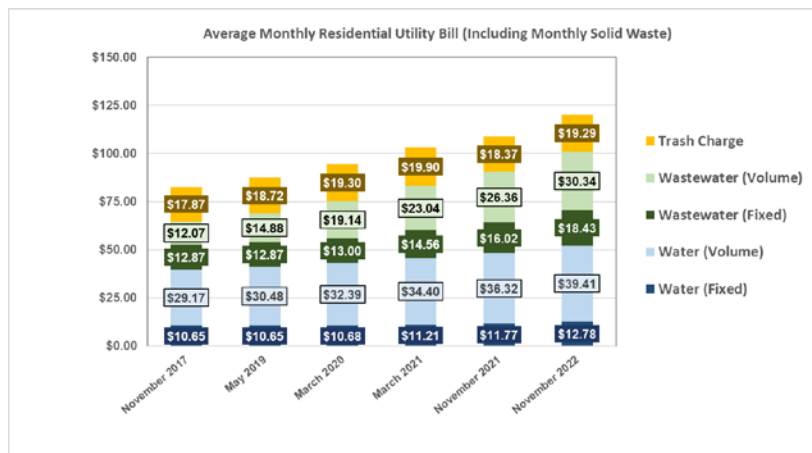
Stephen explained that staff had not worded it as a 15% discount, but the fixed rate charge would remain the same.

Alderman Ulledahl asked what would happen next year?

Cynthia explained that it will have to be reviewed annually. She noted that just having the fixed rate charge amount stay the same. If we used the 15% discount for seniors that discount would fluctuate depending on their use. She said it could be marketed as no increase to the base rate.

Stephen noted that we have approximately 400 customers utilizing the senior discount for trash services.

### Average Monthly Utility Bill



Water Usage Assumption: 4,360 Gallons. Wastewater Usage Assumption: 3,946 Gallons

November 2017  
**\$82.63**

May 2019  
**\$87.59**

March 2020  
**\$94.51**

March 2021  
**\$103.12**

November 2021  
**\$108.84**

November 2022  
**\$120.26**

## Water Impact Fees

Meter Size	FY22 (Current)	FY23 (Proposed)
3/4", or 1" Meter (Example: Single Family Home)	\$2,400	\$3,100
2" Meter (Example: Commercial Facility)	\$4,800	\$9,900
3" Meter (Example: Commercial Facility)	\$7,200	\$21,660
4" Meter (Example: Apartment Complex)	\$9,600	\$38,980
6" Meter (Example: Industrial)	\$14,400	\$86,610

*2" Meter Commercial Facility Examples: Restaurant, Laundromat*

*3" Meter Commercial Facility Example: Nursing Home, Senior Living*

## Wastewater Impact Fees

Meter Size	FY22 (Current)	FY23 (Proposed)
3/4", or 1" Meter (Example: Single Family Home)	\$2,800	No Change
2" Meter (Example: Commercial Facility)	\$5,600	\$8,960
3" Meter (Example: Commercial Facility)	\$8,400	\$19,600
4" Meter (Example: Apartment Complex)	\$11,200	\$35,280
6" Meter (Example: Industrial)	\$16,800	\$78,400

*2" Meter Commercial Facility Examples: Restaurant, Laundromat*

*3" Meter Commercial Facility Example: Nursing Home, Senior Living*

## North Force Main Impact Fees

Impact Fee	FY22 (Current)	FY23 (Proposed)
Connection/Impact Fee into the North Force Main	\$279 (Developer Agreement Only)*	\$279 for All Lots Connecting to the North Force Main

*\*The Greyhawk subdivision is the only remaining subdivision (part of Developer Agreement) with available lots which would pay the \$279 fee to connect to the North Force Main.*

Alderman Hartman asked if the City had agriculture meters or provide them?

Chuck said we do not.



Alderman Russell asked if there is a disconnection and reconnection fee for the snowbirds?

Stephen said the way it would be worded in the schedule of fees is \$50 upon reconnection.

Alderman Russell asked if a snowbird requests a disconnection does it stop trash service also?

Stephen said that trash service would not be provided during that time.

Alderman Russell asked why the dates on the months on the average utility bill were different, why were they not all November?

*November 2017 \$82.63, May 2019 \$87.59, March 2020 \$94.51, March 2021 \$103.12, November 2021 \$108.84, November 2022 \$120.26*

Stephen the month listed are the months when a rate increase took effect.

Alderman Russell asked staff for an estimated total dollar figure for what the proposed fees would bring in.

Cynthia explained that dollar figure would only be a guess at this point.

#### **4. Discussion of Proposed Sidewalk Improvement Plan**

Gina Pate, Management Analyst for Public Works noted that this discussion is follow up from the Board retreat.

##### **Current Program**

- Managed by the Development Department and Public Works Streets Division
- Program Overview:
  - Budget of \$25,000
  - Property owners can have their sidewalk inspected to determine the need of replacement
  - Property owners pays for the materials and supplies
  - City provides the labor
- Since 2014, 72 property owners enrolled in the program (submitted payment)
  - In 2021, the City received 5 payments (these have not been completed yet)
  - In 2022, the City has not received any program enrollments

##### **Evaluation of Current Program**

- Why are there outstanding applications?
  - Staff capacity
  - Sidewalk repair needs not being in the same area
  - Only one sidewalk repair in a specific area
- So how can the City improve this program?

- Use a contractor to perform labor and provide materials
- Continue the cost share with property owners
- Inspect areas throughout the City to determine the areas with the most hazardous conditions, or greatest need of sidewalk improvements
- Connect small gaps in sidewalks

### **Planned Sidewalk Projects**

- Staff has also planned sidewalk projects outside of the scope of this program to help improve connectivity and gaps throughout the City.
- Grant Applications identified in the Capital Improvement Plan:
  - Second Creek Bridge to Hwy 169 Sidewalks (Applied for MARC Grant)
  - Diamond Crest Multi-Use Trail (Applied for DNR Grant)
- Planned Projects in the Capital Improvement Plan:
  - Streetscape Phase III (*Currently in Engineering Phase, Construction in 2023*)
  - Quincy Blvd (*Construction in 2023*)
  - Commercial Street Sidewalks (*Engineering in 2023, Construction in 2024*)
- Staff is looking for feedback in the following areas:
  - Priority areas for the program
    - Public destinations/ services
    - Safe Routes to School
    - City amenities
  - Budget
  - Changes in program

Gina noted that we currently only have \$25,000 budget for sidewalk improvements and that will only allow a limited amount of improvements with today cost. She asked if the Board would want to add additional money to the fund balance expanding the sidewalk program.

Gina explained that this would change the program, currently our code enforcement officer goes out and sees a broken sidewalk that person can be recommended for this program. This change would be staff having a master list of all of the hazards in the city and focusing on the areas that need the most improvement. She noted that list brought to the Board each year for feedback and approval.

Alderman Chevalier said that he liked the idea of using the PCI for sidewalks. He noted that we definitely need to look at the funding to make sure to get those critical locations done quickly. He added that this helps the homeowners out with a portion of the cost of replacing the sidewalk.

Alderman Ulledahl said he would like to see more advertising of the program. Try to get more residents involved so we can get projects closer to each other so we can complete the projects quicker. He noted that most residents do not know that this program exists.

Gina said we could put it in the newsletters.

Alderman Ulledahl added "Did You Know."

Cynthia noted that once priority areas are identified, staff would then be more proactive in reaching out to those residents through Nextdoor in a targeted neighborhood.

Alderman Atkins said he believed there are a lot of residents that do not know this program exists.

Alderman Kobylski asked if a homeowner, once they have received notice are they given a timeframe they have to agree to as to when they have to have the sidewalk repaired.

Gina explained that the process now is our code enforcement would issue them a ticket if they had a hazardous sidewalk and they have X amount of time to get it resolved or we would count it as them enrolling in the program.

Alderman Russell asked if they are giving the option when they are issued a citation?

Gina explained that code enforcement does offer the program to them. She said that most of the recipients we have now are recommended from our code enforcement officer.

Alderman Chevalier asked if we change to using the PCI for sidewalks and we go around and identify these neighborhoods and notify the homeowners and offer this program, if they do not comply then would there be consequences.

Alderman Ulledahl said he did not want homeowner to feel that the City is out head hunting.

Cynthia noted that it is a safety issue.

Mayor Boley noted that most of the sidewalk tickets are complaint driven.

Cynthia noted for a quick follow-up, as we progress through the budget process the sidewalk program will be one of the items staff will be discussing with the Board about where the Board wants to look at identifying the additional funding.

## **5. Discussion of Employee Handbook**

Cynthia noted that Employee Handbook had not been updated for a while, it is usually updated in conjunction with budget development. Last year we did not make many changes in anticipation of the Compensation and Classification study. The Compensation and Classification study had some pretty significant recommendations. Those recommendations and general cleanup of the handbook are included in this presentation.

Anna Mitchell, Assistant City Administrator, noted that last year the Board approved a contract with McGrath Consulting for a Classification and Compensation study. We now have received that executive report. The first portion of that the Board has already

executed with the job pay ranges that were changed and then the associated pay increases that were given to employees earlier this year.

This is the second portion of the findings which expands the benefits package provided to our employees.

The third portion is an update on job descriptions for current employees.

Anna noted that on January 4 at a work session, McGrath Consulting presented their findings, and we discussed several benefit changes that staff has added to our current employee handbook. Staff has also done some clean up to some of the language within the employee handbook.

Recommendations from McGrath include the Following:

1. It was recommended that a specific time be set for the annual review of the pay ranges to occur. Staff has proposed that the review coincide with the budget process and approval timeline. (Section 6-3)
2. The addition of two floating holidays. These holidays can be used at any time throughout the year but will not roll over to the next year. (Article 9) There are some holidays which are not observed by the City but may be very important to an employee. Providing floating holidays will allow employees to request paid time when their religious holiday or traditional practices do not match those of the City.

Anna noted that the two floating holidays are on a use them or lose them basis, they cannot be carried over.

3. Increase of vacation accrual rates: (Section 10-1). Based on reporting municipalities, the City's vacation is very competitive at time of hire. Comparable organizations reported entrance accruals between 40-104 hours as compared to the City's 104 hours. However, the City's vacation schedule appears to fall behind the comparable organizations as years of service progresses. Of the vacation schedules provided, all organizations provide for a maximum annual vacation accrual of 160-200 hours, which was reported to occur between years 11 and 25 of service. Although the City maximizes their vacation accrual at year 11, it does not allow as much for long term accrual. The solution to long term accrual is to create a fourth level of accrual for those in employment for 16 or more years.

- a. 0-5 years: remains 104 hours accrued annually
- b. 5-10 years: increase from 130 to 136 hours accrued annually
- c. 10-15 years: from 156 to 168 hours accrued annually
- d. Creation of 16+ years: 200 hours accrued annually

4. The addition of mandatory vacation. All employees who are employed a minimum of two years will need to take a mandatory vacation of five consecutive days to ensure work integrity and personal well-being (Section 10-9). For any position, there is importance to time away from work. Some of these reasons are improved productivity, better balance between work and personal life, improved focus, better

relationships, and better health. When one adds the factors that some City positions put their lives in jeopardy and respond to and work with stressors most citizens don't experience, ensuring they have support and time away from work is even more critical. Given the high level of expectations in this organization, allowing and encouraging a time-off benefit that has been earned is even more important.

5. The addition of vacation buyback. Employees can voluntarily participate in the buyback of up to 40 hours vacation time per year at the end of the calendar year. If buyback is granted, eligibility to receive donated sick time from the Shared Leave Pool is forfeited for the following calendar year. (Section 10-10) This will allow the employees to receive the financial benefits if they are unable to use their vacation time.

Alderman Russell asked what is the percentage of employees that are at the maximum vacation and how will that impact the work force?

Cynthia explained that adding the vacation buy back and including the mandatory five days of leave will help in that accrual. She noted that staff has found that employees that reach that maximum tend to take random days, so it kind of balances itself.

Anna explained that as far as staffing for coverage, it will be no different than how it is handled now. When someone requests vacation we plan ahead and make sure we have coverage before the request is granted.

Alderman Chevalier said he had concerns about the vacation buy back "If buyback is granted, eligibility to receive donated sick time from the Shared Leave Pool is forfeited for the following calendar year." He said he would want to make sure that employees are covered if they need time off.

Anna explained that at first, they worded it as not eligible for shared leave policy but after discussion with the department directors changed it to the recommendation of the one-year timeframe. She noted that staff could continue to discuss changing if the Board requested it.

Alderman Chevalier said that would be his recommendation to continue to review and change it or take it out altogether.

Alderman Hartman asked what was the percentage of employees that have been with the City for 16 plus years?

Anna said that she did not know.

Cynthia noted that in the Public Works department it was about 50%, and if not the 16 years it was definitely more than ten to fifteen years.

Alderman Russell asked if vacation days were negotiable?

Anna explained that for regular employees they are not, but it can be negotiated for contract employees.

Cynthia noted that is outlined in the employee handbook it is the same across the board for all employees, with the exception as Anna noted, of contract employees.

Anna went over the additional changes that include the following:

1. Added language to allow for the negotiation of starting pay rates. (Section 6-8)
2. Clarified language pertaining to temporary assignments. (Section 6-11)
3. Removing language associated with comp hours taken prior to January 1, 1996, and removal of language associated with comp time taken by the school resource officer during the summer months. (Section 6-12)
4. Removal of language revising the amount of sick leave that is allowed to be taken for illness of immediate family members. (Section 11-2)

Anna noted that these changes will be brought forward for Board approval at the July 19 meeting. She also noted that in the final piece of the McGrath Consulting study is the updated job descriptions. Currently, we have the draft of those descriptions and staff is midway through going through them with department directors and making comments and changes. She noted that staff will get the changes to McGrath by the end of week. Once McGrath has made the changes, they will return them, and staff will bring them forward to the Board for approval in conjunction with the compensation plan.

**6. Adjourn**

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the Work Session adjourned at 6:58 p.m.

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Linda Drummond, City Clerk

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Damien Boley, Mayor



## SMITHVILLE BOARD OF ALDERMEN REGULAR SESSION

June 21, 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 7:06 p.m. following the Work Session. A quorum of the Board was present: John Chevalier, Kelly Kobylski, Ronald Russell, Marv Atkins, Dan Hartman and Dan Ulledahl.

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

### 2. Pledge of Allegiance led by Mayor Boley

### 3. Proclamations

- Parks and Recreation Month



*Figure 1 Mayor Boley presented Parks and Recreation Month Proclamation to Coach Todd Cudd and family*

- Honoring the Smithville High School Girls Soccer Team



*Figure 2 - School Board President Jeff Bloemker accepts on behalf of the school*

#### 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 bills.
- **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.



*Figure 2 Mayor Boley swore in and welcomed John Creagar*

- **Resolution 1083, Temporary Liquor License**

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

No discussion.

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

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

#### REPORTS FROM OFFICERS AND STANDING COMMITTEES

## **5. Committee Reports**

Alderman Chevalier reported on the June 14 Planning and Zoning Commission meeting. They discussed and approved the rezoning items on the agenda this evening. He noted that he recused himself from the telecommunication tower item on the agenda so could not report on it.

## **6. City Administrator's Report**

Cynthia noted that there is information in the packet on the pre-application and screening for a Mid-America Regional Council (MARC) 2050 grant. Staff has submitted and is requesting funding for a number of projects outlined in the report. Staff does anticipate initial scoring feedback. Based on the scoring feedback staff will revise our applications and submit them. Timeline for the grant is sometime in late fall.

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.

There is also information included in the City Administrator's report outlining the process for setting the property tax rate. The Assessors offices in both Clay and Platte Counties Board of Equalization (BOE) are meeting and will be getting information to us. This has to be set no later than October 1 each year, as we are 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 anticipates bringing this to the Board for approval in September.

Over the course of the next several work sessions there will be discussions on several of the items identified as priority by the governing body at the retreat. Those will be presented as work session items and culminating in discussion of the proposed FY2023 budget at the August 16 work session.

Cynthia reminded the Board that 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 hosted fireworks display will be held on Friday, July 1.

Cynthia noted that she will be on vacation from June 29 through July 10 and Anna Mitchell will be on vacation the week of July 4. She explained that Chief Lockridge and Chuck Soules will be here to answer and address any questions.

## **ORDINANCES & RESOLUTIONS**

### **7. Bill No. 2943-22, Agreement with Missouri Highways and Transportation Commission – 2<sup>nd</sup> Reading**

Alderman Ulledahl 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. 2<sup>nd</sup> reading by title only. Alderman Russell seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2943-22 approved.

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

Alderman Ulledahl moved to approve Bill No. 2945-22, amending the FY2022 budget for projects in the Combined Water and Wastewater Systems (CWWS) Fund and for the Capital Projects Fund. 1<sup>st</sup> reading by title only. Alderman Russell seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2945-22 approved first reading.

Alderman Ulledahl moved to approve Bill No. 2945-22, amending the FY2022 budget for projects in the Combined Water and Wastewater Systems (CWWS) Fund and for the Capital Projects Fund. 2<sup>nd</sup> reading by title only. Alderman Russell seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2945-22 approved.

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

Alderman Hartman moved to approve Bill No. 2946-22, approving rezoning Wait's Acres, from B-3 to R-1A. 1<sup>st</sup> reading by title only. Alderman Chevalier seconded the motion.

Public Comment:

Dennis Brewer, 601 NE 70<sup>th</sup> Street, Apt. 109, Gladstone, owner of the property explained to the Board that it never should have been zoned commercial in that area and it needed to be zoned residential.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2946-22 approved first reading.

Alderman Chevalier moved to approve Bill No. 2946-22, approving rezoning Wait's Acres, from B-3 to R-1A. 2<sup>nd</sup> reading by title only. Alderman Russell seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2946-22 approved.

**10. Bill No. 2947-22, Creating a Donation Fund, LLC – 1<sup>st</sup> Reading**

Alderman Hartman moved to approve Bill No. 2947-22, approving the creation of the Donation Fund to hold the donations for the intended purpose. 1<sup>st</sup> reading by title only. Alderman Kobylski seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2947-22 approved first reading.

**11. Bill No. 2948-22, Rezoning 211 North Bridge Street – 1<sup>st</sup> Reading**

Alderman Ulledahl moved to approve Bill No. 2948-22, approving rezoning 211 North Bridge Street from R-3 to B-4. 1<sup>st</sup> reading by title only. Alderman Russell 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 – Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2948-22 approved first reading.

**12. Bill No. 2949-22, Rezoning Dibbens Estate – 1<sup>st</sup> Reading**

Alderman Ulledahl moved to approve Bill No. 2949-22, approving rezoning Dibbens Estate at 13916 North Virginia, from A-1 to A-R. 1<sup>st</sup> reading by title only. Alderman Hartman 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 – Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2949-22 approved first reading.

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

Alderman Hartman moved to approve Resolution 1084, 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. Alderman Kobylski seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1084 approved.

**OTHER MATTERS BEFORE THE BOARD**

**14. Public Comment**

None

**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

By roll call vote.

Steve Sarver

Alderman Kobylski – Aye, Alderman Atkins – Aye, Alderman Russell – Aye,

Alderman Hartman – Aye, Alderman Chevalier – Aye, Alderman Ulledahl – Aye.

Ayes – 6, Noes – 0, motion carries. The Mayor declared Steve Sarver a member of the TIF Commission.

Melissa Wilson

Alderman Ulledahl – Aye, Alderman Chevalier – Aye, Alderman Kobylski – Aye,

Alderman Atkins – Aye, Alderman Hartman – Aye, Alderman Russell – Aye.

Ayes – 6, Noes – 0, motion carries. The Mayor declared Melissa Wilson a member of the TIF Commission.

Alicia Neth

Alderman Chevalier – Aye, Alderman Hartman – Aye, Alderman Ulledahl – Aye,

Alderman Russell – Aye, Alderman Kobylski – Aye, Alderman Atkins – Aye.

Ayes – 6, Noes – 0, motion carries. The Mayor declared Alicia Neth a member of the TIF Commission.

Deb Dotson

Alderman Atkins – Aye, Alderman Kobylski – Aye, Alderman Chevalier – Aye,

Alderman Ulledahl – Aye, Alderman Russell – Aye, Alderman Hartman – Aye.

Ayes – 6, Noes – 0, motion carries. The Mayor declared Deb Dotson a member of the TIF Commission.

Adam Royds

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

Ayes – 6, Noes – 0, motion carries. The Mayor declared Adam Royds a member of the TIF Commission.

Karic Brown

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

Ayes – 6, Noes – 0, motion carries. The Mayor declared Karic Brown a member of the TIF Commission.

**16. New Business from the Floor**

None

**17. Adjourn**

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned at 7:24 p.m.

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Linda Drummond, City Clerk

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Damien Boley, Mayor

# FY22 BUDGET - FINANCIAL UPDATE

6/30/22

REVENUES, BY FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
GENERAL FUND	5,448,315.13	4,918,619.60	3,804,072.69	5,143,358.00	77.34%
CAPITAL PROJECTS FUND	296,689.10	237,000.00	287,878.81	287,878.00	121.47%
CAPITAL IMPROVEMENT SALES TAX FUND	659,009.18	627,555.00	420,746.40	655,250.00	67.05%
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	368,055.42	572,150.00	64.67%
COMBINED WATER/WASTEWATER SYSTEMS FUND	4,953,530.72	5,925,399.80	4,237,491.73	6,125,315.00	71.51%
SANITATION FUND	872,880.09	849,530.00	543,672.55	816,670.00	64.00%
SPECIAL ALLOCATION FUND	380,820.94	570,000.00	517,060.33	520,000.00	90.71%
PARK & STORMWATER SALES TAX FUND	614,189.73	627,555.00	430,028.16	666,250.00	68.52%
VEHICLE AND EQUIPMENT REPLACEMENT FUND	91,972.00	284,000.00	210,586.06	353,916.00	74.15%
COMMONS CID FUND	297,096.00	315,000.00	216,302.53	335,500.00	68.67%
CARES FUND	-	-	-	-	
AMERICAN RESCUE PLAN ACT FUND	1,089,549.62	1,089,161.50	10,495.07	1,089,162.00	0.96%
	<b>15,633,419.52</b>	<b>16,364,530.90</b>	<b>11,397,939.75</b>	<b>16,916,999.00</b>	69.65%

EXPENDITURES, BY FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
GENERAL FUND	5,269,205.24	5,905,850.00	3,839,616.50	5,731,489.00	65.01%
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	480,114.97	645,824.00	72.68%
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	539,990.18	687,760.00	69.00%
COMBINED WATER/WASTEWATER SYSTEMS FUND	3,287,508.75	6,958,415.00	3,119,201.90	5,680,773.00	44.83%
SANITATION FUND	865,323.97	836,450.00	547,739.13	815,943.00	65.48%
SPECIAL ALLOCATION FUND	2,294.95	1,166,888.00	838,901.00	1,166,888.00	71.89%
PARK & STORMWATER SALES TAX FUND	176,872.09	485,000.00	281,073.48	358,012.00	57.95%
VEHICLE AND EQUIPMENT REPLACEMENT FUND	66,296.04	175,749.00	104,036.17	175,749.00	59.20%
COMMONS CID FUND	-	470,000.00	486,701.00	530,000.00	
CARES FUND	588,258.58	-	-	-	
AMERICAN RESCUE PLAN ACT FUND	-	2,178,300.00	384,880.42	2,178,300.00	17.67%
	<b>13,762,131.47</b>	<b>20,086,045.00</b>	<b>10,992,847.25</b>	<b>18,436,951.00</b>	54.73%



# GENERAL FUND

6/30/22

REVENUES, BY SOURCE	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
PROPERTY TAXES	934,865.26	935,099.00	992,801.55	996,377.00	106.17%
SALES AND USE TAXES	1,933,487.01	1,882,351.00	1,330,177.39	1,938,750.00	70.67%
FRANCHISE TAXES	698,064.78	648,090.00	447,474.82	682,640.00	69.05%
OTHER TAXES	329,257.40	325,752.00	261,424.14	357,060.00	80.25%
LICENSES, FEES, AND PERMITS	446,474.04	414,507.60	295,087.06	426,145.00	71.19%
INTERGOVERNMENTAL REVENUES	42,444.26	49,280.00	39,606.02	41,685.00	80.37%
CHARGES FOR SERVICES	363,337.18	251,390.00	184,860.03	271,069.00	73.54%
FINES AND FORFEITS	138,949.00	111,500.00	70,587.00	111,500.00	63.31%
INTEREST	49,908.66	46,800.00	38,425.70	46,800.00	82.11%
DONATIONS	100.00	4,750.00	-	1,000.00	0.00%
OTHER REVENUE	60,664.24	760.00	26,166.43	18,992.00	3442.95%
DEBT ISSUED	241,583.30	3,000.00	2,970.00	6,000.00	
TRANSFERS IN	209,180.00	245,340.00	114,352.55	245,340.00	46.61%
	<b>5,448,315.13</b>	<b>4,918,619.60</b>	<b>3,803,932.69</b>	<b>5,143,358.00</b>	77.34%

EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
ADMINISTRATION	968,627.72	621,397.00	384,135.93	623,441.00	61.82%
STREET	857,425.06	1,436,855.00	884,455.44	1,400,863.00	61.55%
POLICE	1,953,680.94	2,135,525.00	1,421,141.45	2,012,573.00	66.55%
DEVELOPMENT	429,726.22	473,704.00	316,490.73	469,177.00	66.81%
FINANCE	320,012.10	409,091.00	301,760.46	405,584.00	73.76%
COURT	-	-	-	-	
PARKS & REC	683,986.48	741,338.00	479,524.41	738,781.00	64.68%
SENIOR CENTER	19,120.98	25,120.00	10,579.09	19,350.00	42.11%
ELECTED OFFICIALS	32,125.28	53,720.00	35,590.53	52,367.00	66.25%
ANIMAL SHELTER	4,500.46	9,100.00	5,938.46	9,353.00	65.26%
EMERGENCY	-	-	-	-	
	<b>5,269,205.24</b>	<b>5,905,850.00</b>	<b>3,839,616.50</b>	<b>5,731,489.00</b>	65.01%

# ADMINISTRATION

6/30/2022

GENERAL FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
SALARIES & WAGES	299,917.92	283,726.00	187,766.81	286,332.00	66.18%
PART-TIME WAGES	40,157.89	30,000.00	20,152.35	30,000.00	67.17%
OVERTIME WAGES	17.70	-	-	-	
FICA EXPENSE	25,279.34	24,006.00	15,560.25	23,884.00	64.82%
EMPLOYEE BENEFITS	24,691.13	18,780.00	12,583.74	16,132.00	67.01%
WORKER'S COMPENSATION	509.55	558.00	472.73	558.00	84.72%
RETIREMENT EXPENSE	26,903.94	27,617.00	16,523.39	23,544.00	59.83%
UNEMPLOYMENT BENEFITS	-	-	3,728.56	3,729.00	372856.00%
<b>Personnel</b>	<b>417,477.47</b>	<b>384,687.00</b>	<b>256,787.83</b>	<b>384,179.00</b>	<b>66.75%</b>
REPAIRS & MAINTENANCE - BLDG	7,412.95	3,060.00	3,556.29	3,060.00	116.22%
REPAIRS & MAINTENANCE - EQUIP	7,484.68	7,560.00	3,757.66	7,560.00	49.70%
REPAIRS & MAINTENANCE - VHCLES	-	-	-	-	
REPAIRS & MAINTENANCE - SFTWRE	19,721.74	13,660.00	14,301.08	13,941.00	104.69%
ELECTRICITY	1,319.93	2,040.00	681.48	2,040.00	33.41%
TELEPHONE/INTERNET	4,819.85	2,800.00	2,162.10	2,800.00	77.22%
MOBILE COMMUNICATIONS	2,191.36	2,000.00	1,583.21	2,000.00	79.16%
CAPITAL EXPENDITURES - EQUIP	28,565.95	-	-	-	
CAPITAL EXPENDITURES - SOFTWARE	-	-	-	-	
capital expenditures - hardware	-	-	-	-	
TOOLS & SUPPLIES	948.79	390.00	602.86	603.00	154.58%
<b>Operation and Maintenance</b>	<b>72,465.25</b>	<b>31,510.00</b>	<b>26,644.68</b>	<b>32,004.00</b>	<b>84.56%</b>
FUEL	-	-	-	-	
<b>Contractual Services</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
INSURANCE EXPENSE	4,593.80	5,840.00	4,535.67	5,840.00	77.67%
<b>Insurance</b>	<b>4,593.80</b>	<b>5,840.00</b>	<b>4,535.67</b>	<b>5,840.00</b>	<b>77.67%</b>
TRAINING & TRAVEL EXPENSE	9,599.92	7,560.00	7,077.34	7,560.00	93.62%
OFFICE SUPPLIES	8,700.14	4,800.00	6,029.84	5,361.00	125.62%
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%
<b>Office and Administrative</b>	<b>21,108.66</b>	<b>15,860.00</b>	<b>14,867.03</b>	<b>16,421.00</b>	<b>93.74%</b>
city events	-	-	-	-	
<b>Capital Improvement Projects</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Debt - Principal</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Debt - Interest</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Transfers Out</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>TOTAL GENERAL FUND</b>	<b>515,645.18</b>	<b>437,897.00</b>	<b>302,835.21</b>	<b>438,444.00</b>	

## PUBLIC WORKS (STREET)

6/30/2022

GENERAL FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
SALARIES & WAGES	419,882.56	451,320.00	275,710.95	424,400.00	61.09%
PART-TIME WAGES	20,675.20	20,550.00	13,517.73	20,550.00	65.78%
OVERTIME WAGES	4,531.56	8,000.00	7,740.55	12,000.00	96.76%
FICA EXPENSE	30,898.98	36,714.00	20,745.48	31,942.00	56.51%
EMPLOYEE BENEFITS	53,358.64	64,910.00	43,395.90	57,936.00	66.86%
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	24,766.06	36,064.00	61.27%
UNIFORM EXPENSE	1,607.76	3,000.00	821.88	3,000.00	27.40%
<b>Personnel</b>	<b>592,344.49</b>	<b>656,695.00</b>	<b>413,619.79</b>	<b>617,669.00</b>	<b>62.99%</b>
REPAIRS & MAINTENANCE - BLDG	694.80	780.00	38.66	780.00	4.96%
REPAIRS & MAINTENANCE - EQUIP	464.32	1,240.00	1,333.27	1,333.00	107.52%
REPAIRS & MAINTENANCE - VEHICL	827.44	1,500.00	2,228.10	2,219.00	148.54%
REPAIRS & MAINTENANCE - SFWRE	3,299.32	111,570.00	75,777.03	111,570.00	67.92%
ELECTRICITY	84,682.62	94,290.00	55,729.31	94,290.00	59.10%
PROPANE	4,050.00	7,950.00	4,522.00	7,950.00	56.88%
TELEPHONE/INTERNET	6,064.94	6,450.00	4,152.41	6,450.00	64.38%
MOBILE COMMUNICATIONS	3,484.17	2,930.00	2,023.46	2,930.00	69.06%
CAPITAL EXPENDITURES - EQUIP	-	5,000.00	2,005.49	5,000.00	40.11%
CAPITAL EXPENDITURES - VEHICLE	-	-	-	-	
TOOLS & SUPPLIES	532.70	1,500.00	453.23	1,500.00	30.22%
FUEL	-	-	-	2,202.00	
<b>Operation and Maintenance</b>	<b>104,100.31</b>	<b>233,210.00</b>	<b>148,262.96</b>	<b>236,224.00</b>	<b>63.57%</b>
PROFESSIONAL SERVICES	89,607.93	365,480.00	150,190.12	365,480.00	41.09%
DEDUCTIBLES	-	1,000.00	-	1,000.00	0.00%
<b>Contractual Services</b>	<b>89,607.93</b>	<b>366,480.00</b>	<b>150,190.12</b>	<b>366,480.00</b>	<b>40.98%</b>
INSURANCE EXPENSE	18,789.11	19,170.00	13,604.82	19,170.00	70.97%
<b>Insurance</b>	<b>18,789.11</b>	<b>19,170.00</b>	<b>13,604.82</b>	<b>19,170.00</b>	<b>70.97%</b>
TRAINING & TRAVEL EXPENSE	1,036.28	3,000.00	1,516.18	3,000.00	50.54%
OFFICE SUPPLIES	1,810.69	2,500.00	341.63	2,500.00	13.67%
MEMBERSHIPS & SUBSCRIPTIONS	921.25	800.00	908.00	820.00	113.50%
<b>Office and Administrative</b>	<b>3,768.22</b>	<b>6,300.00</b>	<b>2,765.81</b>	<b>6,320.00</b>	<b>43.90%</b>
CAPITAL IMPROVEMENT PROJECTS	8,815.00	-	-	-	
<b>Capital Improvement Projects</b>	<b>8,815.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	
MISCELLANEOUS	-	-	-	-	
<b>Other Expenses</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Debt - Principal</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Debt - Interest</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
TRANSFERS OUT	40,000.00	155,000.00	155,000.00	155,000.00	100.00%
<b>Transfers Out</b>	<b>40,000.00</b>	<b>155,000.00</b>	<b>155,000.00</b>	<b>155,000.00</b>	<b>100.00%</b>
<b>TOTAL GENERAL FUND</b>	<b>857,425.06</b>	<b>1,436,855.00</b>	<b>883,443.50</b>	<b>1,400,863.00</b>	<b>61.48%</b>

## POLICE

6/30/2022

GENERAL FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
SALARIES & WAGES	980,844.45	1,140,988.00	683,627.18	1,039,510.00	59.92%
PART-TIME WAGES	15,253.16	19,300.00	9,973.22	19,300.00	51.67%
OVERTIME WAGES	73,238.31	42,000.00	65,898.21	95,000.00	156.90%
FICA EXPENSE	76,440.37	88,770.00	55,247.92	84,267.00	62.24%
EMPLOYEE BENEFITS	142,562.70	207,570.00	95,436.87	123,325.00	45.98%
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	61,645.87	88,741.00	57.26%
UNIFORM EXPENSE	18,563.44	23,020.00	15,814.44	23,020.00	68.70%
<b>Personnel</b>	<b>1,437,158.81</b>	<b>1,678,575.00</b>	<b>1,029,389.12</b>	<b>1,522,438.00</b>	<b>61.33%</b>
REPAIRS & MAINT - BLDG	11,515.51	7,350.00	11,708.14	11,167.00	159.29%
REPAIRS & MAINTENANCE - EQUIP	8,862.09	6,620.00	3,351.67	6,620.00	50.63%
REPAIRS & MAINT - VEHICLES	31,805.78	18,970.00	23,137.48	23,137.00	121.97%
REPAIRS & MAINT - SOFTWARE	24,844.62	33,250.00	24,055.98	33,250.00	72.35%
ELECTRICITY	5,865.60	7,130.00	4,470.97	7,130.00	62.71%
TELEPHONE/INTERNET	7,724.70	8,440.00	4,143.19	8,440.00	49.09%
MOBILE COMMUNICATIONS	8,312.34	9,390.00	4,791.17	9,390.00	51.02%
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	20,201.00	106.32%
TOOLS & SUPPLIES	13,069.53	16,970.00	11,488.10	16,970.00	67.70%
FUEL	29,199.75	35,750.00	28,713.84	40,000.00	80.32%
ANIMAL CONTROL	-	500.00	-	500.00	0.00%
animal shelter	-	-	-	-	
<b>Operation and Maintenance</b>	<b>324,750.47</b>	<b>237,970.00</b>	<b>196,823.35</b>	<b>251,405.00</b>	<b>82.71%</b>
PROFESSIONAL SERVICES	38,618.30	40,240.00	60,448.24	59,509.00	150.22%
DISPATCHING	67,927.20	72,560.00	47,198.66	72,560.00	65.05%
CONFINEMENT	936.00	6,000.00	2,539.95	6,000.00	42.33%
INSURANCE DEDUCTIBLES	-	1,000.00	-	1,000.00	0.00%
<b>Contractual Services</b>	<b>107,481.50</b>	<b>119,800.00</b>	<b>110,186.85</b>	<b>139,069.00</b>	<b>91.98%</b>
INSURANCE EXPENSE	49,269.40	53,300.00	48,365.79	53,300.00	90.74%
<b>Insurance</b>	<b>49,269.40</b>	<b>53,300.00</b>	<b>48,365.79</b>	<b>53,300.00</b>	<b>90.74%</b>
TRAINING & TRAVEL EXPENSE	21,680.41	27,000.00	22,888.72	27,000.00	84.77%
ACADEMY TRAINING	-	-	-	-	
OFFICE SUPPLIES EXPENSE	3,268.32	2,000.00	1,573.05	2,000.00	78.65%
POSTAGE	864.55	1,000.00	629.67	1,000.00	62.97%
<b>Office and Administrative</b>	<b>25,813.28</b>	<b>30,000.00</b>	<b>25,091.44</b>	<b>30,000.00</b>	<b>83.64%</b>
MEMBERSHIPS & SUBSCRIPTIONS	9,098.97	15,630.00	10,804.28	15,630.00	69.13%
<b>Capital Improvement Projects</b>	<b>9,098.97</b>	<b>15,630.00</b>	<b>10,804.28</b>	<b>15,630.00</b>	<b>69.13%</b>
CAPITAL IMPROVEMENT PROJECTS	-	-	-	-	
MISCELLANEOUS EXPENSE	-	-	480.62	481.00	
<b>Other Expenses</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Debt - Principal</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Debt - Interest</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Transfers Out</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>TOTAL GENERAL FUND</b>	<b>1,953,572.43</b>	<b>2,135,275.00</b>	<b>1,420,660.83</b>	<b>2,011,842.00</b>	<b>66.53%</b>

DEVELOPMENT					6/30/2022
GENERAL FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
SALARIES & WAGES	267,737.01	291,972.00	189,467.80	289,093.00	64.89%
OVERTIME WAGES	759.71	500.00	294.61	500.00	58.92%
FICA EXPENSE	19,399.23	22,378.00	13,769.84	21,012.00	61.53%
EMPLOYEE BENEFITS	26,344.66	29,200.00	20,891.92	27,375.00	71.55%
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	16,699.16	23,820.00	64.86%
UNIFORM EXPENSE	914.20	1,800.00	23.94	1,800.00	1.33%
<b>Personnel</b>	<b>346,865.91</b>	<b>381,654.00</b>	<b>249,668.33</b>	<b>373,658.00</b>	<b>65.42%</b>
REPAIRS & MAINTENANCE - BLDG	1,231.17	1,230.00	1,120.35	1,230.00	91.09%
REPAIRS & MAINTENANCE - EQUIP	1,212.57	1,240.00	486.09	1,240.00	39.20%
REPAIRS & MAINT - VEHICLES	1,078.50	1,390.00	871.49	1,390.00	62.70%
REPAIRS & MAINT - SFTWRE/MAPS	14,070.24	21,210.00	24,328.74	24,229.00	114.70%
ELECTRICITY	964.40	1,400.00	681.50	1,400.00	48.68%
TELEPHONE/INTERNET	2,335.50	2,030.00	1,286.95	2,030.00	63.40%
MOBILE COMMUNICATIONS	2,221.35	2,200.00	1,217.40	2,200.00	55.34%
CAPITAL EXPENDITURES - EQUIP	1,683.30	6,000.00	2,760.69	6,000.00	46.01%
CAPITAL EXPENDITURES - VEHICLE	-	-	-	-	
CAPITAL EXPENDITURES - HRDWARE	-	-	-	-	
TOOLS & SUPPLIES	706.70	1,020.00	177.91	1,020.00	17.44%
FUEL	3,415.26	5,500.00	2,560.43	5,500.00	46.55%
<b>Operation and Maintenance</b>	<b>28,918.99</b>	<b>43,220.00</b>	<b>35,491.55</b>	<b>46,239.00</b>	<b>82.12%</b>
PROFESSIONAL SERVICES	41,627.02	30,610.00	23,114.60	30,610.00	75.51%
<b>Contractual Services</b>	<b>41,627.02</b>	<b>30,610.00</b>	<b>23,114.60</b>	<b>30,610.00</b>	<b>75.51%</b>
INSURANCE EXPENSE	5,347.79	6,660.00	4,982.24	6,660.00	74.81%
<b>Insurance</b>	<b>5,347.79</b>	<b>6,660.00</b>	<b>4,982.24</b>	<b>6,660.00</b>	<b>74.81%</b>
TRAINING & TRAVEL EXPENSE	1,113.01	3,000.00	1,759.94	3,000.00	58.66%
OFFICE SUPPLIES EXPENSE	987.60	500.00	950.25	950.00	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%
<b>Office and Administrative</b>	<b>6,966.51</b>	<b>11,560.00</b>	<b>3,234.01</b>	<b>12,010.00</b>	<b>27.98%</b>
<b>Capital Improvement Projects</b>	-	-	-	-	
MISCELLANEOUS EXPENSE	-	-	-	-	
<b>Other Expenses</b>	-	-	-	-	
<b>Debt - Principal</b>	-	-	-	-	
<b>Debt - Interest</b>	-	-	-	-	
<b>Transfers Out</b>	-	-	-	-	
<b>TOTAL GENERAL FUND</b>	<b>429,726.22</b>	<b>473,704.00</b>	<b>316,490.73</b>	<b>469,177.00</b>	<b>66.81%</b>

# FINANCE

6/30/2022

GENERAL FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
SALARIES & WAGES	177,083.28	234,480.00	147,675.81	225,029.00	62.98%
PART-TIME WAGES	212.50	-	-	-	
OVERTIME WAGES	888.69	500.00	59.88	500.00	11.98%
FICA EXPENSE	13,247.87	17,983.00	10,836.35	16,508.00	60.26%
EMPLOYEE BENEFITS	17,955.17	30,380.00	27,673.82	36,723.00	91.09%
WORKER'S COMPENSATION	238.84	410.00	347.35	410.00	84.72%
RETIREMENT EXPENSE	9,443.92	20,678.00	12,354.47	17,440.00	59.75%
<b>Personnel</b>	<b>219,070.27</b>	<b>304,431.00</b>	<b>198,947.68</b>	<b>296,610.00</b>	<b>65.35%</b>
REPAIRS & MAINTENANCE - BLDG	967.62	820.00	695.79	820.00	84.85%
REPAIRS & MAINTENANCE - EQUIP	858.88	620.00	1,044.84	1,045.00	168.52%
REPAIRS & MAINTENANCE - SFTWRE	13,277.78	14,780.00	18,766.71	18,384.00	126.97%
ELECTRICITY	535.95	1,020.00	495.64	1,020.00	48.59%
TELEPHONE/INTERNET	1,478.78	1,480.00	886.68	1,480.00	59.91%
MOBILE COMMUNICATIONS	447.23	490.00	324.35	490.00	66.19%
CAPITAL EXPENDITURES - EQUIP	2,000.00	-	-	-	
TOOLS & SUPPLIES	291.60	1,160.00	302.71	1,160.00	26.10%
<b>Operation and Maintenance</b>	<b>19,857.84</b>	<b>20,370.00</b>	<b>22,516.72</b>	<b>24,399.00</b>	<b>110.54%</b>
PROFESSIONAL SERVICES	30,784.10	38,010.00	38,914.61	38,010.00	102.38%
<b>Contractual Services</b>	<b>30,784.10</b>	<b>38,010.00</b>	<b>38,914.61</b>	<b>38,010.00</b>	<b>102.38%</b>
INSURANCE EXPENSE	3,093.88	2,920.00	3,024.00	3,024.00	103.56%
<b>Insurance</b>	<b>3,093.88</b>	<b>2,920.00</b>	<b>3,024.00</b>	<b>3,024.00</b>	<b>103.56%</b>
TRAINING & TRAVEL EXPENSE	1,495.60	1,200.00	721.34	1,200.00	60.11%
OFFICE SUPPLIES	664.20	500.00	680.92	681.00	136.18%
ADVERTISING	359.65	260.00	-	260.00	0.00%
BANK CHARGES	44,096.56	40,880.00	36,610.19	40,880.00	89.56%
MEMBERSHIPS & SUBSCRIPTIONS	590.00	520.00	345.00	520.00	66.35%
<b>Office and Administrative</b>	<b>47,206.01</b>	<b>43,360.00</b>	<b>38,357.45</b>	<b>43,541.00</b>	<b>88.46%</b>
<b>Capital Improvement Projects</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Other Expenses</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Debt - Principal</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Debt - Interest</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Transfers Out</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>TOTAL GENERAL FUND</b>	<b>320,012.10</b>	<b>409,091.00</b>	<b>301,760.46</b>	<b>405,584.00</b>	<b>73.76%</b>

# 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	-	-	-	-	
<b>Personnel</b>	-	-	-	-	
repairs & maintenance - bldg	-	-	-	-	
repairs & maintenance - equip	-	-	-	-	
repairs & maintenance - sftwre	-	-	-	-	
ELECTRICITY	-	-	-	-	
TELEPHONE/INTERNET	-	-	-	-	
capital expenditures - hrdwre	-	-	-	-	
tools & supplies	-	-	-	-	
<b>Operation and Maintenance</b>	-	-	-	-	
professional services	-	-	-	-	
<b>Contractual Services</b>	-	-	-	-	
insurance expense	-	-	-	-	
<b>Insurance</b>	-	-	-	-	
training & travel	-	-	-	-	
office supplies expense	-	-	-	-	
postage	-	-	-	-	
bank charges	-	-	-	-	
<b>Office and Administrative</b>	-	-	-	-	
<b>Capital Improvement Projects</b>	-	-	-	-	
<b>Other Expenses</b>	-	-	-	-	
<b>Debt - Principal</b>	-	-	-	-	
<b>Debt - Interest</b>	-	-	-	-	
<b>Transfers Out</b>	-	-	-	-	
<b>TOTAL GENERAL FUND</b>	-	-	-	-	

PARKS & RECREATION					6/30/2022
GENERAL FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
SALARIES & WAGES	266,044.07	277,309.00	171,254.08	258,429.00	61.76%
PART-TIME WAGES	6,381.39	21,840.00	4,816.80	21,840.00	22.05%
PART-TIME RECREATION WAGES	4,223.79	9,430.00	2,833.46	9,430.00	30.05%
OVERTIME WAGES	1,644.65	2,000.00	2,345.76	2,000.00	117.29%
FICA EXPENSE	20,623.07	23,759.00	13,418.83	20,071.00	56.48%
EMPLOYEE BENEFITS	29,951.76	32,270.00	22,333.68	30,343.00	69.21%
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	11,959.22	17,272.00	48.65%
UNIFORM EXPENSE	1,302.75	3,250.00	2,248.01	3,250.00	69.17%
Personnel	362,524.36	406,048.00	241,043.20	374,242.00	59.36%
REPAIRS & MAINTENANCE - BLDG	168.47	1,000.00	559.86	1,000.00	55.99%
REPAIRS & MAINTENANCE - EQUIP	14,340.84	8,500.00	10,423.42	8,500.00	122.63%
REPAIRS & MAINTENACE - VEHICLE	267.57	750.00	79.97	750.00	10.66%
REPAIRS & MAINT - INFRASTRUCTR	20,969.35	18,000.00	1,945.75	18,000.00	10.81%
REPAIRS & MAINT - PARKS	15,480.52	-	7,014.10	6,639.00	701410.00%
REPAIRS & MAINT - SOFTWARE	13,815.42	6,540.00	7,058.22	6,953.00	107.92%
REPAIRS & MAINT - SMITH'S FORK	49,795.93	82,500.00	96,129.77	94,385.00	116.52%
ELECTRICITY	27,472.89	25,500.00	14,163.85	25,500.00	55.54%
PROPANE	4,267.00	7,160.00	5,108.50	7,160.00	71.35%
TELEPHONE/INTERNET	5,427.39	8,050.00	4,744.08	8,050.00	58.93%
MOBILE COMMUNICATIONS	3,082.75	3,120.00	2,042.89	3,120.00	65.48%
CAPITAL EXPENDITURES - EQUIP	-	-	-	-	
CAPITAL EXPENDITURES - VEHICLE	-	-	-	-	
CAPITAL EXPENDITURES - HRDWARE	-	-	-	-	
CAPITAL EXPENDITURES - BLDG	5,201.00	-	-	-	
TOOLS & SUPPLIES	5,878.37	5,000.00	5,746.87	5,590.00	114.94%
FUEL	10,017.08	8,250.00	6,855.42	8,250.00	83.10%
recreation	-	-	-	-	
YOUTH REC LEAGUE UNIFORMS	12,051.32	16,880.00	13,373.32	16,880.00	79.23%
YOUTH REC LEAGUE UMPIRES	7,874.00	11,420.00	14,472.55	14,473.00	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	10,940.22	27,010.00	40.50%
REC LEAGUE ADVERTISING	279.75	1,000.00	959.37	1,000.00	95.94%
Operation and Maintenance	215,520.55	232,400.00	202,018.58	254,980.00	86.93%
BIKE RACE	13,600.16	5,000.00	1,488.67	5,000.00	29.77%
PROFESSIONAL SERVICES	5,442.35	3,730.00	10,472.09	10,051.00	280.75%
LEASE EXPENSE	36,853.29	38,710.00	-	38,710.00	0.00%
CAMP HOST SERVICES	17,500.00	17,500.00	7,700.00	17,500.00	44.00%
FIREWORKS DISPLAY	12,000.00	12,000.00	-	12,000.00	0.00%
Contractual Services	85,395.80	76,940.00	19,660.76	83,261.00	25.55%
MOVIE NIGHTS	1,925.83	2,400.00	630.18	2,400.00	26.26%
Insurance	1,925.83	2,400.00	630.18	2,400.00	26.26%
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	534.52	500.00	106.90%
POSTAGE	-	-	-	-	
ADVERTISING	393.17	500.00	847.55	848.00	169.51%
MEMBERSHIPS	1,025.00	670.00	325.00	670.00	48.51%
Office and Administrative	18,615.84	23,550.00	16,171.69	23,898.00	68.67%
CAPITAL IMPROVEMENT PROJECTS	-	-	-	-	
Capital Improvement Projects	-	-	-	-	
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
Transfers Out	-	-	-	-	
TOTAL GENERAL FUND	683,982.38	741,338.00	479,524.41	738,781.00	



## SENIOR CENTER

6/30/2022

GENERAL FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
<b>Personnel</b>	-	-	-	-	
REPAIRS & MAINTENANCE - BLDG	2,562.84	2,890.00	1,995.38	2,890.00	69.04%
ELECTRICITY	1,574.45	1,500.00	832.82	1,500.00	55.52%
NATURAL GAS	684.51	1,440.00	845.13	1,440.00	58.69%
TELEPHONE/INTERNET	2,904.89	2,400.00	1,142.81	2,400.00	47.62%
TOOLS & SUPPLIES	-	500.00	99.85	500.00	19.97%
<b>Operation and Maintenance</b>	<b>7,726.69</b>	<b>8,730.00</b>	<b>4,915.99</b>	<b>8,730.00</b>	<b>56.31%</b>
PROFESSIONAL SERVICES	8,062.46	13,270.00	4,550.00	7,500.00	34.29%
<b>Contractual Services</b>	<b>8,062.46</b>	<b>13,270.00</b>	<b>4,550.00</b>	<b>7,500.00</b>	<b>34.29%</b>
INSURANCE	3,331.83	3,120.00	1,113.10	3,120.00	35.68%
<b>Insurance</b>	<b>3,331.83</b>	<b>3,120.00</b>	<b>1,113.10</b>	<b>3,120.00</b>	<b>35.68%</b>
<b>Office and Administrative</b>	-	-	-	-	
CAPITAL IMPROVEMENT PROJECTS	-	-	-	-	
<b>Capital Improvement Projects</b>	-	-	-	-	
<b>Other Expenses</b>	-	-	-	-	
<b>Debt - Principal</b>	-	-	-	-	
<b>Debt - Interest</b>	-	-	-	-	
<b>Transfers Out</b>	-	-	-	-	
<b>TOTAL GENERAL FUND</b>	<b>19,120.98</b>	<b>25,120.00</b>	<b>10,579.09</b>	<b>19,350.00</b>	<b>42.11%</b>

## ELECTED OFFICIALS

6/30/2022

GENERAL FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
PART-TIME WAGES	14,700.00	15,150.00	9,750.00	13,894.00	64.36%
FICA EXPENSE	1,124.92	1,160.00	746.12	1,063.00	64.32%
WORKER'S COMPENSATION	23.70	30.00	25.42	30.00	84.73%
<b>Personnel</b>	<b>15,848.62</b>	<b>16,340.00</b>	<b>10,521.54</b>	<b>14,987.00</b>	<b>64.39%</b>
WORKER'S COMPENSATION	-	-	-	-	
REPAIRS & MAINTENANCE - BLDG	1,119.18	960.00	870.96	960.00	90.73%
REPAIRS & MAINT - SOFTWARE	659.05	1,130.00	659.05	1,130.00	58.32%
ELECTRICITY	959.33	1,150.00	867.37	1,150.00	75.42%
TELEPHONE/INTERNET	1,808.40	960.00	995.68	960.00	103.72%
MOBILE COMMUNICATIONS	-	-	-	-	
TOOLS & SUPPLIES	25.00	220.00	7.50	220.00	3.41%
<b>Operation and Maintenance</b>	<b>4,570.96</b>	<b>4,420.00</b>	<b>3,400.56</b>	<b>4,420.00</b>	<b>76.94%</b>
COMMUNITY RELATIONS ALLOWANCE	-	-	-	-	
<b>Contractual Services</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
PROFESSIONAL SERVICES	3,862.02	20,710.00	14,179.68	20,710.00	68.47%
<b>Insurance</b>	<b>3,862.02</b>	<b>20,710.00</b>	<b>14,179.68</b>	<b>20,710.00</b>	<b>68.47%</b>
INSURANCE	1,317.76	1,660.00	1,363.42	1,660.00	82.13%
TRAINING & TRAVEL EXPENSE	893.04	2,880.00	885.05	2,880.00	30.73%
OFFICE SUPPLIES	888.44	1,000.00	523.65	1,000.00	52.37%
ADVERTISING	3,894.44	4,000.00	3,931.63	4,000.00	98.29%
MEMBERSHIPS & SUBSCRIPTIONS	850.00	2,710.00	785.00	2,710.00	28.97%
<b>Office and Administrative</b>	<b>7,843.68</b>	<b>12,250.00</b>	<b>7,488.75</b>	<b>12,250.00</b>	<b>61.13%</b>
<b>Capital Improvement Projects</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Other Expenses</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Debt - Principal</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Debt - Interest</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Transfers Out</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>TOTAL GENERAL FUND</b>	<b>32,125.28</b>	<b>53,720.00</b>	<b>35,590.53</b>	<b>52,367.00</b>	<b>66.25%</b>

## ANIMAL SHELTER

6/30/2022

GENERAL FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
<b>Personnel</b>	-	-	-	-	
REPAIRS & MAINT - BLDG	599.97	600.00	853.46	853.00	142.24%
TOOLS & SUPPLIES	780.41	1,500.00	707.59	1,500.00	47.17%
<b>Operation and Maintenance</b>	<b>1,380.38</b>	<b>2,100.00</b>	<b>1,561.05</b>	<b>2,353.00</b>	<b>74.34%</b>
PROFESSIONAL SERVICES	3,120.08	6,000.00	4,199.41	6,000.00	69.99%
<b>Contractual Services</b>	<b>3,120.08</b>	<b>6,000.00</b>	<b>4,199.41</b>	<b>6,000.00</b>	<b>69.99%</b>
<b>Insurance</b>	-	-	-	-	
ADVERTISING	-	-	-	-	
<b>Office and Administrative</b>	-	-	-	-	
TRAINING & TRAVEL	-	1,000.00	178.00	1,000.00	17.80%
<b>Capital Improvement Projects</b>	-	<b>1,000.00</b>	<b>178.00</b>	<b>1,000.00</b>	<b>17.80%</b>
<b>Other Expenses</b>	-	-	-	-	
<b>Debt - Principal</b>	-	-	-	-	
<b>Debt - Interest</b>	-	-	-	-	
<b>Transfers Out</b>	-	-	-	-	
<b>TOTAL GENERAL FUND</b>	<b>4,500.46</b>	<b>9,100.00</b>	<b>5,938.46</b>	<b>9,353.00</b>	<b>65.26%</b>

<b>SPECIAL ALLOCATION FUND</b>	<b>6/30/22</b>
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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	327,555.46	500,000.00	59.56%
	<b>380,820.94</b>	<b>570,000.00</b>	<b>517,060.33</b>	<b>520,000.00</b>	90.71%

EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
ADMINISTRATION	2,294.95	1,166,888.00	838,901.00	1,166,888.00	71.89%
	<b>2,294.95</b>	<b>1,166,888.00</b>	<b>838,901.00</b>	<b>1,166,888.00</b>	71.89%

# SPECIAL ALLOCATION FUND

6/30/22

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	-	1,160,888.00	0.00%
Transfers Out	-	1,158,888.00	-	1,160,888.00	0.00%
TOTAL SPECIAL ALLOCATION FUND	-	1,158,888.00	-	1,160,888.00	0.00%

# CAPITAL PROJECTS FUND

6/30/22

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	112,274.00	88.41%
PARK IMPROVEMENT REVENUE	6,250.00	10,000.00	75,604.34	75,604.00	
	<b>290,439.10</b>	<b>127,000.00</b>	<b>187,878.81</b>	<b>112,274.00</b>	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%
	<b>1,536,744.43</b>	<b>127,000.00</b>	<b>127,000.00</b>	<b>127,000.00</b>	100.00%

## CAPITAL PROJECTS FUND

6/30/22

CAPITAL PROJECTS FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
Personnel	-	-	-	-	
Operation and Maintenance	-	-	-	-	
PROFESSIONAL SERVICES	68,567.87	-	-	-	
Contractual Services	68,567.87	-	-	-	
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	-	-	-	-	
Capital Improvement Projects	1,468,176.56	127,000.00	127,000.00	127,000.00	100.00%
Other Expenses	-	-	-	-	
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
TOTAL CAPITAL PROJECTS FUND	1,536,744.43	127,000.00	127,000.00	127,000.00	

# TRANSPORTATION SALES TAX FUND

6/30/22

REVENUES, BY SOURCE	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
SALES AND USE TAXES	587,177.01	569,160.00	368,055.42	572,150.00	64.67%
PROCEEDS FROM DEBT ISSUED	-	-	-	-	
TRANSFERS IN	-	-	-	-	
	<b>587,177.01</b>	<b>569,160.00</b>	<b>368,055.42</b>	<b>572,150.00</b>	64.67%

EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
STREET	887,522.42	782,630.00	539,990.18	687,760.00	69.00%
	<b>887,522.42</b>	<b>782,630.00</b>	<b>539,990.18</b>	<b>687,760.00</b>	69.00%



# TRANSPORTATION SALES TAX FUND

6/30/22

TRANSPORTATION SALES TAX FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
<b>Personnel</b>	-	-	-	-	
REPAIRS & MAINTENANCE - BLDG	11.98	1,000.00	261.46	1,000.00	26.15%
REPAIRS & MAINTENANCE - EQUIP	21,313.52	10,000.00	11,496.98	11,423.00	114.97%
REPAIRS & MAINTENANCE - STREET	688,447.60	100,000.00	59,302.24	100,000.00	59.30%
CAPITAL EXPENDITURES - EQUIP	15,194.35	21,960.00	-	21,960.00	0.00%
SUPPLIES - STREET SIGNS	-	-	-	-	
FUEL	16,363.33	12,380.00	10,535.91	12,380.00	85.10%
<b>Operation and Maintenance</b>	<b>741,330.78</b>	<b>145,340.00</b>	<b>81,596.59</b>	<b>146,763.00</b>	<b>56.14%</b>
PROFESSIONAL SERVICES	100,239.50	-	3,721.47	3,721.00	372147.00%
<b>Contractual Services</b>	<b>100,239.50</b>	<b>-</b>	<b>3,721.47</b>	<b>3,721.00</b>	<b>372147.00%</b>
INSURANCE EXPENSE	-	-	-	-	
<b>Insurance</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
TOOLS & SUPPLIES	716.86	30,000.00	2,735.60	30,000.00	9.12%
<b>Office and Administrative</b>	<b>716.86</b>	<b>30,000.00</b>	<b>2,735.60</b>	<b>30,000.00</b>	<b>9.12%</b>
<b>Capital Improvement Projects</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Other Expenses</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
LEASE EXPENSE	38,969.28	33,480.00	32,010.00	32,010.00	95.61%
<b>Debt - Principal</b>	<b>38,969.28</b>	<b>33,480.00</b>	<b>32,010.00</b>	<b>32,010.00</b>	<b>95.61%</b>
INTEREST EXPENSE	6,266.00	4,810.00	6,266.00	6,266.00	130.27%
<b>Debt - Interest</b>	<b>6,266.00</b>	<b>4,810.00</b>	<b>6,266.00</b>	<b>6,266.00</b>	<b>130.27%</b>
<b>Transfers Out</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>TRANSPORTATION SALES TAX FUND</b>	<b>887,522.42</b>	<b>213,630.00</b>	<b>126,329.66</b>	<b>218,760.00</b>	<b>59.13%</b>

# CAPITAL IMPROVEMENT SALES TAX FUND

6/30/22

REVENUES, BY SOURCE	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
SALES AND USE TAXES	659,009.18	627,555.00	420,746.40	655,250.00	67.05%
TRANSFERS IN	-	-	-	-	
	<b>659,009.18</b>	<b>627,555.00</b>	<b>420,746.40</b>	<b>655,250.00</b>	67.05%

EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
STREET	752,250.00	660,550.00	480,114.97	645,824.00	72.68%
	<b>752,250.00</b>	<b>660,550.00</b>	<b>480,114.97</b>	<b>645,824.00</b>	72.68%

## CAPITAL IMPROVEMENT SALES TAX FUND

6/30/22

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	463,824.00	96.92%
Transfers Out	342,190.00	478,550.00	463,824.47	463,824.00	96.92%
TOTAL CAP. IMP. SALES TAX FUND	752,250.00	478,550.00	463,824.47	463,824.00	96.92%

# DEBT SERVICE FUND

6/30/22

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%
	<b>342,190.00</b>	<b>351,550.00</b>	<b>351,550.00</b>	<b>351,550.00</b>	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%
	<b>329,855.00</b>	<b>339,213.00</b>	<b>243,592.50</b>	<b>339,213.00</b>	71.81%

DEBT SERVICE FUND					6/30/22
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

6/30/22

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	3,927,448.69	5,701,091.00	71.15%
IMPACT FEES	292,296.00	375,000.00	265,348.00	375,000.00	70.76%
OTHER REVENUE	16,115.42	-	14,135.03	14,110.00	
DEBT ISSUED	46,780.65	30,720.00	30,560.01	35,114.00	99.48%
TRANSFERS IN	-	-	-	-	
	<b>4,953,530.72</b>	<b>5,925,399.80</b>	<b>4,237,491.73</b>	<b>6,125,315.00</b>	71.51%
EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
UTILITIES	3,287,508.75	6,958,415.00	3,119,201.90	5,680,773.00	44.83%
	<b>3,287,508.75</b>	<b>6,958,415.00</b>	<b>3,119,201.90</b>	<b>5,680,773.00</b>	44.83%

PUBLIC WORKS (UTILITIES)					6/30/22
CWWS FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
SALARIES & WAGES	761,552.60	806,730.00	497,665.34	759,554.00	61.69%
OVERTIME WAGES	16,754.95	18,000.00	16,168.92	24,777.00	89.83%
FICA EXPENSE	57,441.43	63,230.00	38,080.73	60,830.00	60.23%
EMPLOYEE BENEFITS	74,230.58	87,720.00	61,661.55	84,145.00	70.29%
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	43,520.13	60,448.00	59.87%
UNIFORM EXPENSE	7,198.02	8,400.00	3,547.41	8,400.00	42.23%
<b>Personnel</b>	<b>1,014,535.98</b>	<b>1,092,050.00</b>	<b>690,527.11</b>	<b>1,033,427.00</b>	<b>63.23%</b>
REPAIRS & MAINTENANCE - EQUIP	5,811.72	6,990.00	2,998.43	6,990.00	42.90%
REPAIRS & MAINTENCE- VEHICLES	1,182.87	3,000.00	2,885.28	3,000.00	96.18%
REPAIRS & MAINT - WATER LINES	41,908.66	104,740.00	62,248.05	104,740.00	59.43%
REPAIRS & MAINT - SEWER LINES	45,425.65	150,000.00	37,212.35	150,000.00	24.81%
REPAIRS & MAINT - WATER PLANT	44,886.78	245,000.00	17,799.99	95,000.00	7.27%
REPAIRS & MAINT - WW PLANT	19,535.01	850,000.00	92,132.43	670,000.00	10.84%
REPAIRS & MAINT - SOFTWARE	16,142.43	18,830.00	12,231.68	18,830.00	64.96%
REPAIRS & MAINT - WATER TOWERS	108,691.80	123,350.00	82,721.13	123,350.00	67.06%
ELECTRICITY	225,508.22	299,650.00	146,614.17	230,000.00	48.93%
PROPANE	3,931.25	15,900.00	5,814.00	15,900.00	36.57%
TELEPHONE/INTERNET	15,163.28	15,520.00	10,980.42	15,520.00	70.75%
MOBILE COMMUNICATIONS	8,775.27	9,630.00	6,701.31	9,630.00	69.59%
CAPITAL EXPENDITURES - EQUIP	-	24,000.00	4,010.99	24,000.00	16.71%
CAPITAL EXPENDITURES - VEHICLE	-	-	-	-	
CAPITAL EXPENDITURES - SOFTWARE	-	100,000.00	94,150.00	100,000.00	94.15%
CAPITAL EXPENDITURES - HRDWRE	-	-	-	-	
CAPITAL EXPENDITURES - TOWERS	-	-	-	-	
CAPITAL EXPENDITURES - BLDG	-	20,000.00	9,840.00	9,840.00	49.20%
CAPITAL EXPENDITURES - WATER P	-	-	-	-	
CAPITAL EXPENDITURES - WW PLAN	-	-	-	-	
CAPITAL EXPENDITURES - LINES	-	-	-	-	
TOOLS & SUPPLIES	24,667.70	25,000.00	14,677.38	25,000.00	58.71%
SUPPLIES - CONNECTIONS	41,586.02	75,000.00	36,148.86	75,000.00	48.20%
SUPPLIES - LAB	24,354.74	27,500.00	20,274.84	27,500.00	73.73%
SUPPLIES - WATER CHEMICALS	117,504.57	130,000.00	81,137.74	130,000.00	62.41%
SUPPLIES - WW CHEMICALS	8,280.33	13,500.00	4,986.37	13,500.00	36.94%
FUEL	12,207.02	24,500.00	9,226.51	18,500.00	37.66%
<b>Operation and Maintenance</b>	<b>765,563.32</b>	<b>2,282,110.00</b>	<b>754,791.93</b>	<b>1,866,300.00</b>	<b>33.07%</b>
PROFESSIONAL SERVICES	79,754.81	826,190.00	383,986.40	726,190.00	46.48%
DEBT PRINCIPAL PAYMENTS	14,377.81	363,946.00	61,217.12	363,946.00	16.82%
WASTEWATER TREATMENT SERVICE	119,940.80	128,620.00	83,541.90	128,620.00	64.95%
<b>Contractual Services</b>	<b>214,073.42</b>	<b>1,318,756.00</b>	<b>528,745.42</b>	<b>1,218,756.00</b>	<b>40.09%</b>
INSURANCE EXPENSE	69,637.80	71,720.00	79,220.49	79,220.00	110.46%
<b>Insurance</b>	<b>69,637.80</b>	<b>71,720.00</b>	<b>79,220.49</b>	<b>79,220.00</b>	<b>110.46%</b>
TRAINING & TRAVEL EXPENSE	3,103.26	5,000.00	1,836.45	5,000.00	36.73%
OFFICE SUPPLIES	2,942.24	4,500.00	1,138.23	4,500.00	25.29%
POSTAGE	1,256.83	1,500.00	766.90	1,500.00	51.13%
ADVERTISING	146.11	-	-	-	
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%
<b>Office and Administrative</b>	<b>8,779.10</b>	<b>13,380.00</b>	<b>5,636.58</b>	<b>13,380.00</b>	<b>42.13%</b>
CAPITAL IMPROVEMENT PROJECTS	17,486.15	1,440,000.00	783,753.22	940,000.00	54.43%
WATER IMPACT PROJECTS	(0.05)	150,000.00	-	-	0.00%
WASTEWATER IMPACT PROJECTS	-	-	-	-	
<b>Capital Improvement Projects</b>	<b>17,486.10</b>	<b>1,590,000.00</b>	<b>783,753.22</b>	<b>940,000.00</b>	<b>49.29%</b>
AMORTIZATION EXPENSE	-	-	-	-	
DEPRECIATION EXPENSE	695,694.00	-	-	-	
MISCELLANEOUS EXPENSE	-	-	-	-	
<b>Other Expenses</b>	<b>695,694.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Debt - Principal</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
DEBT INTEREST PAYMENTS	292,559.03	345,059.00	142,174.60	284,350.00	41.20%
<b>Debt - Interest</b>	<b>292,559.03</b>	<b>345,059.00</b>	<b>142,174.60</b>	<b>284,350.00</b>	<b>41.20%</b>
TRANSFERS OUT	209,180.00	245,340.00	134,352.55	245,340.00	54.76%
<b>Transfers Out</b>	<b>209,180.00</b>	<b>245,340.00</b>	<b>134,352.55</b>	<b>245,340.00</b>	<b>54.76%</b>
<b>TOTAL CWWS FUND</b>	<b>3,287,508.75</b>	<b>6,958,415.00</b>	<b>3,119,201.90</b>	<b>5,680,773.00</b>	<b>44.83%</b>

# SANITATION FUND

6/30/22

REVENUES, BY SOURCE	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
CHARGES FOR SERVICES	872,880.09	849,530.00	543,672.55	816,670.00	64.00%
TRANSFERS IN	-	-	-	-	
	<b>872,880.09</b>	<b>849,530.00</b>	<b>543,672.55</b>	<b>816,670.00</b>	64.00%

EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
ADMIN	865,323.97	836,450.00	547,739.13	815,943.00	65.48%
	<b>865,323.97</b>	<b>836,450.00</b>	<b>547,739.13</b>	<b>815,943.00</b>	65.48%



# SANITATION FUND

6/30/22

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	536,396.59	804,600.00	65.11%
RECYCLING SERVICES	-	-	-	-	
HOUSEHOLD HAZARDOUS WASTE	11,797.70	12,630.00	11,342.54	11,343.00	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	11,343.00	89.81%
Transfers Out	11,797.70	12,630.00	11,342.54	11,343.00	89.81%
TOTAL SANITATION FUND	#N/A	#N/A	#N/A	#N/A	#N/A

# PARK AND STORMWATER SALES TAX FUND

6/30/22

REVENUES, BY SOURCE	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
PARK & STRMWTR SALES TAX	614,189.73	627,555.00	419,028.16	666,250.00	66.77%
MISCELLANEOUS REVENUE	-	-	11,000.00	-	
	<b>614,189.73</b>	<b>627,555.00</b>	<b>430,028.16</b>	<b>666,250.00</b>	68.52%

EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
PARKS & RECREATION	74,537.09	275,000.00	281,073.48	282,562.00	
UTILITIES	102,335.00	210,000.00	-	75,450.00	0.00%
	<b>102,335.00</b>	<b>485,000.00</b>	<b>-</b>	<b>75,450.00</b>	0.00%

# VEHICLE AND EQUIPMENT REPLACE FUND

6/30/22

REVENUES, BY SOURCE	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
SALE OF PERSONAL PROPERTY	51,972.00	244,000.00	2,125.00	178,916.00	0.87%
TRANSFERS IN	51,972.00	40,000.00	20,000.00	175,000.00	50.00%
	<b>103,944.00</b>	<b>284,000.00</b>	<b>22,125.00</b>	<b>353,916.00</b>	

EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
ADMINISTRATION	66,296.04	175,749.00	104,036.17	175,749.00	59.20%
	<b>66,296.04</b>	<b>175,749.00</b>	<b>104,036.17</b>	<b>175,749.00</b>	59.20%

## COMMONS CID FUND

6/30/22

REVENUES, BY SOURCE	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
SALES TAXES	297,096.00	315,000.00	213,693.50	330,000.00	67.84%
USE TAXES	-	-	2,609.03	5,500.00	
	<b>297,096.00</b>	<b>315,000.00</b>	<b>216,302.53</b>	<b>335,500.00</b>	68.67%

EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
CONTRACTED SERVICES	-	470,000.00	486,701.00	530,000.00	103.55%
	-	<b>470,000.00</b>	<b>486,701.00</b>	<b>530,000.00</b>	103.55%

# AMERICAN RESCUE PLAN ACT FUND

6/30/22

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	-	-	-	-	
	<b>1,089,137.62</b>	<b>1,089,161.50</b>	<b>10,495.07</b>	<b>1,089,161.50</b>	0.96%

EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
UTILITIES		2,178,300.00	384,880.42	2,178,300.00	17.67%
	-	<b>2,178,300.00</b>	<b>384,880.42</b>	<b>2,178,300.00</b>	17.67%



## Board of Alderman Request for Action

**MEETING DATE:** 7/19/2022

**DEPARTMENT:** Parks and Recreation

**AGENDA ITEM:** Resolution 1085, Smithville Warriors Youth Football Contract

---

### **REQUESTED BOARD ACTION:**

Motion to approve Resolution 1085, authorizing and directing the Mayor to enter into an agreement with the Smithville Warrior Youth Football Club for use of city park land.

### **SUMMARY:**

City staff met with representatives from the Smithville Warriors Youth Football Club and agreed on terms to renew an annual contract for use of city park land and facilities for youth sports. The contract period is from August 1, 2022 to November 15, 2022.

Due to the pump house construction currently going on at Smith's Fork Park, a field is not usable. Staff and the Club have agreed to use the outfield of Smith's Fork Field 1 until the field is playable again.

### **PREVIOUS ACTION:**

The City enters into contracts annually with the Smithville Warriors Youth Football league.

### **POLICY ISSUE:**

Click or tap here to enter text.

### **FINANCIAL CONSIDERATIONS:**

Click or tap here to enter text.

### **ATTACHMENTS:**

- |  |  |
|--|--|
| <input type="checkbox"/> Ordinance             | <input checked="" 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 1085**

**A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SMITHVILLE WARRIORS YOUTH FOOTBALL FOR THE USE OF CITY PARK LAND.**

**WHEREAS**, the association desires to use a portion of the city's parks for conducting youth football games and practices; and

**WHEREAS**, it is in the City's best interest to enter into an agreement, and

**WHEREAS**, the City and Smithville Warriors Youth Football have met and discussed said fees and the impact they will have on their membership; and

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

**THAT THE MAYOR IS HEREBY AUTHORIZED AND DIRECTED TO EXECUTE THE ATTACHED AGREEMENT WITH SMITHVILLE WARRIORS YOUTH FOOTBALL FOR THE 2022 SEASON.**

**PASSED AND ADOPTED** by the Mayor and Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 19<sup>th</sup> day of July 2022.

---

Damien Boley, Mayor

ATTEST:

---

Linda Drummond, City Clerk

## **AGREEMENT**

**THIS AGREEMENT** entered into this 19<sup>th</sup> day of July, 2022, by and between the **CITY OF SMITHVILLE, MISSOURI**, a Missouri Municipal Corporation ("City") and **SMITHVILLE WARRIORS YOUTH FOOTBALL**, a not-for-profit corporation ("Association"), as follows:

**WHEREAS**, the Association desires to use a portion of the City's parks for conducting fall football games and practices for youth, and

**WHEREAS**, the Association desires to make improvements to the City's football fields, and

**WHEREAS**, the City and the Association have met and discussed said fees and the impact they will have on Association membership, and

**WHEREAS**, the Association desires that the City, for a fixed cost to the Association, provide certain services in connection with the Association's use of the City park, but desires to provide other necessary services at their own cost, subject to City's supervision and review, and

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

### **FEE**

1. The Association agrees to pay \$2,280.00 for the fall 2022 season (August 1, to November 15, 2022) before September 1, 2022, for use of City's football fields.
2. If payment is not received for the current year's fall season by September 1 of the respective year, all play will be cancelled until full payment is received.
3. The Association agrees to pay \$600.00 for the use of the concession stand/storage building at Smith's Fork Park. The Association will have exclusive use of the storage area during the term of this agreement; and exclusive use of the concession area from June 1 to December 1, 2022. The Association will be responsible for all operation costs associated with the building. Nothing is to be stored outside the building at any time. This provision will nullify City Ordinance 2637-08; an agreement between the City and the Association for the construction of the Concession stand/storage building at Smith's Fork Park.

### **USE OF PARKS**

4. It is agreed that the Association shall be entitled to the use of the City's football fields as follows:



- a. Game field and practice areas generally located by the river at the spillway in Smith's Fork Park.
- b. Outfield of Smith's Fork Field 1.

### **ASSOCIATION'S OBLIGATIONS**

5. The Association agrees that it will:

- a. Provide the necessary toiletries and supplies for the restrooms at Smith's Fork Park Spillway on weekends, Saturday and Sunday, whenever there are games played.
- b. Routinely clean and keep the interior of the concession building at Smith's Fork Park in an orderly manner during the organization's use and provide necessary manpower to operate the concession stand. Nothing is to be stored outside at any time.
- c. Assume liability for the Associations own equipment and inventory stored at the concession stand.
- d. Assume liability for any damage caused by frozen pipes inside concession stand from October 15 to November 15, unless notification is given to the City with 24 hours notice Monday through Friday of when the concession stand is to be closed.
- e. Will consult the Parks and Recreation Director of any field maintenance proposed by the Association before the field maintenance is started. (i.e. seeding)
- f. Pay for electrical service for existing field lights during the season defined as August 1 through November 15.
- g. Provide the Parks and Recreation Director with a copy of each season schedule before season begins and notify Parks and Recreation Director of any schedule changes throughout the season.
- h. Provide trash pickup, dump barrels and pick up and remove litter, at football fields, concession stand, and immediate surrounding areas daily unless deemed unnecessary due to low volume or lack of use.
- i. Remove rope from around field after each game or practice.
- j. Provide additional portable toilets, if needed, at the association's expense when city restroom facilities are closed.

- k. All Association activities shall occur between the hours of 6:00 a.m. and 11:00 p.m.

### **CITY'S OBLIGATIONS**

- 6. The City agrees that it will:
  - a. Provide football fields as described above.
  - b. Layout football fields, including painting lines prior to the season.
  - c. Provide, maintain and repair the electrical service for existing ball field lights.
  - d. Maintain parking areas at Smith's Fork Park.
  - e. Supply trash cans.
  - f. Paint lines on fields eleven times during the season and provide paint
  - g. Provide access to the concession building as described above.
  - h. Maintain and winterize the irrigation system on the game field
  - i. Winterize concession building

### **OTHER AGREEMENTS**

- 6. The City reserves the right to inspect facilities and request repair for damage specifically caused by association as herein agreed by the Association. In the event that repairs are not performed in a timely manner, the City may perform or contract for the repairs and bill the Association, and the Association agrees to pay any such bill incurred.

### **ADDITIONAL IMPROVEMENTS**

- 7. Both parties recognize that the use of the above-mentioned parks is for the general public, and thus, all use thereof is solely with the consent of the City. It is further recognized, however, that the Association would like the City to consider allowing them to provide additional amenities in the park, which would make the Association's use for youth football more beneficial. It is further understood that any permanent improvement placed in the park by the Association, with the City's approval, shall thereafter belong to the City.

### **CONCESSION STAND**

8. City hereby grants to Association the right to operate a concession stand (upon receiving all the necessary state and county approvals, with copies provided to the City) at the Smith's Fork Park out of the concession building located by the football field during the fall season. Any proposed improvement or modifications to the City's concession building may be made only after specific approval by the Board of Aldermen and the United States Army Corps of Engineers.

### **INDEMNIFICATION**

9. The Association hereby agrees to indemnify and save the City safe and harmless from any liability incurred as a result of the Association's use of the City parks as above set out, and specifically agrees to name the City as an additional party insured on its general liability insurance policy, which shall be in an amount not less than One Million Dollars (\$1,000,000.00) or such higher amount in the future years as the then current sovereign immunity limits of the State of Missouri.

### **ADVERTISING AND FUND-RAISING**

10. The Association has the right to place team banners around the field during games. These banners will be removed after each game.

### **ADA ACCOMMODATIONS**

11. The association shall make reasonable accommodations for spectators and participants with disabilities when notified that such need exists.

### **BREACH OF CONTRACT**

12. In the event either the Association or the City remains in breach of this contract after receiving ten (10) days' written notice of such breach from the other party, then the non-breaching party may declare this contract null and void by notifying the breaching party in writing.

### **CHANGE IN USE OF FIELDS**

13. The Association is the only organized football entity using the City's football fields. It is the intent of the City to allow the widest possible use of its municipal park's, and to attempt to resolve any conflicts in their use. In the event, however, that other football associations request use of the City's football fields and conflicts with the terms of this contract which cannot be reasonably resolved, then the City reserves the right to terminate this contract by delivering written notice on or before December 31<sup>st</sup> of such year.

**PUBLIC RESTROOM FACILITIES**

14. All public restroom facilities in City parks are open to the public from April 15 to October 15.

**IN WITNESS WHEREOF**, the parties have entered this Agreement the day and year first above written.

**CITY OF SMITHVILLE, MISSOURI**

By \_\_\_\_\_  
Mayor Damien Boley

**ATTEST:**

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

**SMITHVILLE WARRIORS YOUTH FOOTBALL**

By \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_



## Board of Alderman Request for Action

**MEETING DATE:** 7/19/2022

**DEPARTMENT:** Administration

**AGENDA ITEM:** Resolution 1086, Adopting Amendments to the Employee Handbook

---

**REQUESTED BOARD ACTION:**

Approval of Resolution 1086, Adopting Amendments to the Employee Handbook.

**SUMMARY:**

On March 10, 2021, the City released bid #21-11, Classification and Compensation RFQ. Eight proposals were submitted, and the city management team then conducted interviews identifying McGrath Human Resources as the highest qualified proposer. The Board of Aldermen approved a contract with McGrath consulting on June 1, 2021.

On January 18, 2022, the Board of Aldermen approved Resolution 1017, Adoption of Classification and Compensation Study, which approved the 2022 Employee Salary Schedule. Once approved, the salary ranges were updated and employees were given their associated pay increases.

Another portion of the report submitted to the City by McGrath Consulting included benefit recommendations to enhance the current package that is offered to employees. Walking through the recommendations, at the January 4 Work Session, the Board directed staff to move forward with the following Employee Handbook recommendations.

Recommendations from McGrath include the Following:

1. It was recommended that a specific time be set for the annual review of the pay ranges to occur. Staff has proposed that the review coincide with the budget process and approval timeline. (Section 6-3)
2. The addition of two floating holidays. These holidays can be used at any time throughout the year but will not roll over to the next year. (Article 9) There are some holidays which are not observed by the City but may be very important to an employee. Providing floating holidays will allow employees to request paid time when their religious holiday or traditional practices do not match those of the City.
3. Increase of vacation accrual rates: (Section 10-1). Based on reporting municipalities, the City's vacation is very competitive at time of hire. Comparable organizations reported entrance accruals between 40-104 hours as compared to the City's 104 hours. However, the City's vacation schedule appears to fall behind the comparable organizations as years of service progresses. Of the vacation

schedules provided, all organizations provide for a maximum annual vacation accrual of 160-200 hours, which was reported to occur between years 11 and 25 of service. Although the City maximizes their vacation accrual at year 11, it does not allow as much for long term accrual. The solution to long term accrual is to create a fourth level of accrual for those in employment for 16 or more years.

- a. 0-5 years: remains 104 hours accrued annually
  - b. 5-10 years: increase from 130 to 136 hours accrued annually
  - c. 10-15 years: from 156 to 168 hours accrued annually
  - d. Creation of 16+ years: 200 hours accrued annually
4. The addition of mandatory vacation. All employees who are employed a minimum of two years will need to take a mandatory vacation of five consecutive days to ensure work integrity and personal well-being (Section 10-9). For any position, there is importance to time away from work. Some of these reasons are improved productivity, better balance between work and personal life, improved focus, better relationships, and better health. When one adds the factors that some City positions put their lives in jeopardy and respond to and work with stressors most citizens don't experience, ensuring they have support and time away from work is even more critical. Given the high level of expectations in this organization, allowing and encouraging a time-off benefit that has been earned is even more important.
  5. The addition of vacation buyback. Employees can voluntarily participate in the buyback of vacation hours of up to 40 hours per year at the end of the calendar year. If buyback is granted, eligibility to receive donated sick time from the Shared Leave Pool is forfeited for the following calendar year. (Section 10-10) This will allow the employees to receive the financial benefits if they are unable to use their vacation time.

Additional changes include the following:

1. Added language to allow for the negotiation of starting pay rates. (Section 6-8)
2. Clarified language pertaining to temporary assignments. (Section 6-11)
3. Removing language associated with comp hours taken prior to January 1, 1996 and removal of language associated with comp time taken by the school resource officer during the summer months. (Section 6-12)
4. Removal of language revising the amount of sick leave that is allowed to be taken for illness of immediate family members. (Section 11-2)

Attached is an updated version of the Employee Handbook with associated updates recommended from the study completed by McGrath Consulting as well as a few items to clean up the language of the handbook.

#### **PREVIOUS ACTION:**

June 21, 2022 Work Session



## Board of Alderman Request for Action

### **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 checked="" type="checkbox"/> Other: Updated Employee Handbook |                                   |

## **RESOLUTION 1086**

### **A RESOLUTION ADOPTING AMENDMENTS TO THE EMPLOYEE HANDBOOK**

**WHEREAS**, the City of Smithville has adopted and set forth principles and procedures to be followed by the City in the administration of the City's personnel program. These principles and procedures were adopted to establish an efficient, equitable and functional system of personnel administration to govern the appointment, promotion, transfer, layoff, dismissal, discipline and other related conditions of employment; and,

**WHEREAS**, the Board has identified and recommended changes to the policy based on the classification and compensation study completed by McGrath Consulting; and,

**WHEREAS**, the update of Section 6-3, Section 6-8, Section 6-11, Section 6-12, Article 9, Section 10-1, and Section 11-2 is recommended; and,

**WHEREAS**, the addition of Section 10-9 and Section 10-10 is recommended; and,

**WHEREAS**, the Board of Aldermen of the City of Smithville desires to adopt the changes to the existing policies and procedures as the principles and procedures which should be followed by the City in the administration of the City's personnel program; and,

**WHEREAS**, the Board of Aldermen of the City of Smithville states that each existing policy and procedure not specifically amended are hereby readopted in conjunction with the amendments set forth as the principles and procedures which should be followed by the City in the administration of the City's personnel program; and,

**WHEREAS**, the Board of Aldermen of the City of Smithville wish to restate that the policies and procedures as amended is not intended to be a contract between the City and its employees and does not create contractual rights for employees.

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

**THAT**, the existing policies and procedures as amended are the policies and procedures which should be followed effective July 20, 2022 by the City in the administration of the City's personnel program.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 19<sup>th</sup> day of July 2022.

---

Damien Boley, Mayor



ATTEST:

---

Linda Drummond, City Clerk



# **Employee Handbook**

**Effective July 20, 2022**

**PERSONNEL POLICIES HANDBOOK  
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## **ARTICLE 1 GENERAL PROVISIONS**

### *Section 1-1 Purpose of Rules*

It is the purpose of these rules to set forth the principles and procedures which will be followed by the City in the administration of the City's personnel program. They are intended to establish an efficient, equitable and functional system of personnel administration which governs the appointment, promotion, transfer, layoff, dismissal, discipline, and other related conditions of employment. They are not intended to be a contract between the City and its employees and do not create contractual rights for employees. The City reserves the right to change the Handbook at any time. Unless otherwise approved by the Board of Aldermen and subject to these policies and any applicable law, all City employees are employed on an at-will basis. This means that employment is not guaranteed for any specific duration of time, and the City retains the right to terminate an individual's employment at any time, with or without cause. No oral representations made by a City employee with respect to continued employment can alter this relationship. Likewise, no statement made in this Personnel Policies Handbook is intended to alter the at-will nature of employment with the City.

### *Section 1-2 Positions Covered by the Rules*

These rules shall apply to all positions in all departments of the City and to such other positions as may be provided herein subject to applicable Missouri law.

### *Section 1-3 Administration of the Rules*

The City Administrator, under the general supervision of the Mayor, shall be charged with the overall responsibility for the administration of these rules.

## **ARTICLE 2 DEFINITION OF TERMS**

The following words and phrases shall have the meanings indicated throughout these rules except where the context clearly indicates otherwise.

### **Anniversary Date**

Date of appointment or promotion to a position in the City; service or date of transfer to a different class in the City service for current period of continuous service.

### **Appointing Authority**

The City Administrator or a designee of the City Administrator, or any person having the power by state law or other lawfully delegated authority to make appointment to positions in the City service.

### **Appointment**

The designation to a position in the City service of a person who has qualified for the appointment through an appropriate selection process.

### **Board of Aldermen**

The duly elected Board of Aldermen of the City or a designee when appropriate.

### **City Administrator**

The duly selected City Administrator of the City or a designee when appropriate.

### **Class**

One or more positions sufficiently similar in respect to assigned work duties and responsibilities that the same class title may be reasonably and fairly used to designate each position allocated to the class, that the same minimum education and work experience qualifications may be required, and that the same salary range may apply with equity.

### **Classification**

The original assignment of a position to an appropriate class based on the nature, difficulty, and responsibility of work to be performed, work experience and minimum education.

### **Date of Employment**

The date an employee starts work as a new hire or rehire.

### **Date of Termination**

The date an employee separates from employment.

### **Demotion**

The movement of an employee from a position in one class to a position in another class having a lower maximum salary rate.

### **Department**

Any of the departments under the jurisdiction of the Board of Aldermen, now or as hereafter established.



**Department Head**

The chief operating manager of any department.

**Domestic Partner**

A partner that is not legally married to or is not the domestic partner of anyone else; the domestic partners intend to remain each other's sole domestic partner indefinitely; the domestic partners live together in the same principal residence and intend to do so indefinitely; the domestic partners are committed to each other and share joint responsibilities for their common welfare and financial obligations and the domestic partners are not related by blood, closer than would prohibit marriage in the state in which they reside.

**Exempt Employee**

An employee who is exempted from the provisions of the Fair Labor Standards Act (FLSA) or who is not covered by the act, particularly as it relates to overtime.

**Full-time Employee**

An employee occupying a position included in the adopted annual budget that is neither specified part-time nor temporary employment, nor limited for a period of less than the budget year. Also, any employee occupying such a position established during a given budget year unless the appointing authority certifies that such position will not be continued in the succeeding year's budget. The hours of work are approximately 2080 per year.

**Grievance**

A complaint relating to employment, the application of personnel rules and regulations, working conditions, or relationships between an employee and a supervisor, other than discipline.

**Human Resources Department**

A subset of the Administration Department, typically the Assistant City Administrator.

**Immediate Family**

A spouse (to include domestic partner), parents (to include step-, in-laws and parents of domestic partner), siblings (to include half- and step-), children (to include step and foster), in-laws (to include daughter/son and brother/sister), Grandparents (to include step) and Grandchildren (to include step).

**Introductory Employee**

A full-time or part-time employee serving an introductory working test period.

**Introductory Period**

A working test period during which a newly appointed full-time or part-time employee is required to demonstrate fitness by actual performance of the duties of the position to which the employee is appointed.

**Job Description**

A written statement of the characteristic duties, responsibilities, and qualification requirements that distinguish a specific class from other classes.

**Layoff**

Employment separation made necessary by lack of work or funds or other reasons not related to fault, delinquency, or misconduct on the part of an employee.

**Mayor**

The duly elected Mayor of the City or a designee when appropriate.

**Non-Essential Personnel**

Employees whose job duties do not directly relate to the health, safety, and welfare of the community, ensure continuity of key City operations, or protect City properties.

**Part-Time Employee**

An employee who is regularly scheduled through the year, that may be specified in the annual budget as part-time and who work less than full-time employees, and are not temporary/seasonal employees.

**Position**

A group of current duties and responsibilities assigned or delegated by competent authority, requiring the full-time, part-time, or temporary employment of one person.

**Promotion**

The movement of any employee from a position of one class to a position of another class having a higher maximum salary rate.

**Qualifying Period**

The working test period served by promotional appointees and employees transferred to a class dissimilar to the one previously held.

**Reclassification**

The official determination that a position be assigned to a class different from the one to which it was previously classified based on a gradual change in the position to include duties clearly outside of the current class or an immediate change in a position brought about by a division or department reorganization or redistribution of duties. Whether an employee shall be retained in a position after reclassification of the job shall be determined by the employee's qualifications for the position as reclassified.

**Repositioning**

The official determination that a class of positions be assigned to a different pay range based on "internal equity" (relationship with other City classes) or "external competitiveness" (relationship with wage and salaries paid in the comparable selected labor markets).

**Resident**

A person whose principal place of domicile is within the corporate boundaries of the City.

**Temporary/Seasonal Employee**

Terms used interchangeably to describe a position comprising duties which occur, terminate, and recur seasonally, intermittently or according to the needs of the department. Such position shall not require more than 1499 hours of pay in any continuous twelve (12) month period. The appointing authority shall assign a projected date of termination of less than one (1) year from date of hire and shall have such date made a part of the employee's personnel file.

**Transfer**

The movement of an employee from one department, division, or unit of the City government to another, from one position to another position of the same class, or to another class having the same maximum salary rate involving the performance of similar or dissimilar duties and requiring essentially the same basic qualifications.

**Vacancy**

A duly created position which is not occupied and for which funds have been provided.

## **ARTICLE 3 GENERAL EMPLOYEE POLICIES**

### *Section 3-1 Equal Employment Opportunity*

It is the intent of the City that all personnel activities be conducted in a manner that will assure equal employment opportunity for all persons, without regard to political affiliation, race, color, religion, national origin, sex, age, disability, or any other characteristic protected by law. This policy shall include all personnel practices related to the employment process, promotions, demotion, transfer, layoff, termination, compensation, benefits, training, and general treatment of employees.

### *Section 3-2 Alcohol & Controlled Substance Use, Abuse & Testing Policy*

#### **A. Policy Objectives**

It is the policy of the City to provide safe, dependable, and economical services to its citizens and to provide safe working conditions for its employees, and to comply with the requirements of federal law and regulations related to the Drug Free Work Place Act of 1988 and the Omnibus Transportation Employee Testing Act of 1991. It is also the policy of the City to provide healthy, satisfying working environments for its employees.

To meet these goals, it is the policy of the City to ensure that its employees are not impaired in their ability to perform assigned duties in a safe, productive and healthy manner; to create a workplace environment free from the adverse effects of alcohol and controlled substance abuse or misuse; to prohibit the unlawful manufacture, distribution, dispensing, possession or use of alcohol and controlled substances; and to encourage employees to seek professional assistance when personal problems, including alcohol and controlled substance dependency, adversely affect their ability to perform assigned duties.

The purpose of this policy is to assure worker fitness for duty and to protect employees and the public from the risks posed by using alcohol and controlled substances. It is also the purpose of this policy to comply with all applicable federal and state regulations governing workplace alcohol and controlled substance abuse programs mandated under the above-noted acts. These acts mandate urine drug testing and breathalyzer alcohol tests for safety-sensitive positions and prevent performance of safety-sensitive functions when there is a positive test result. The federal law has also established standards for the collection and testing of urine and breath specimens, for the reporting of certain drug-related offenses, for protective measures for certain employees tested, for the preservation of confidentiality, and for certain reporting.

#### **B. Applicability**

This policy applies to all applicants and employees, including but not limited to managers, department heads, supervisors, full-time employees, part-time employees, off-site employees, and persons who perform safety-sensitive functions as these persons and activities are defined in the Omnibus Transportation Employee Testing Act and its implementing regulations, including but not limited to persons who are required to possess a CDL license for the operation

of a commercial vehicle and all law enforcement and emergency services personnel, as well as others in safety-sensitive positions in the jurisdiction. All contractors of the City shall be required to state in writing that they comply with the provisions of the act and its implementing regulations while engaged in services for the City or in activity while on City property as a condition of the award of any such contracts for services or work and the continuation of same.

#### C. Definitions

1. Policy Administrator: a City employee designated by the Board of Aldermen.
2. Commercial Vehicle: as defined in the Missouri statutes requiring a commercial drivers' license.
3. Delay: any failure to immediately report to the test site to participate in the required testing under this policy.

#### D. Policy Administrator

Unless otherwise designated by the City, the designated policy administrator for the City is the City Administrator, who shall be designated as the controlled substance and alcohol policy administrator. Any inquiries concerning this policy, its application, its administration, or its interpretation shall be made to the policy administrator.

The policy administrator shall develop and maintain a current list of the Positions that are governed by this policy. The list shall be available for inspection in the offices of the City Administrator. Individuals who are applying for positions with the City and affected employees shall be notified of the positions that are covered by this policy.

The policy administrator shall develop all forms necessary to carry out the provisions of this policy, unless the forms are provided under the federal regulations. The forms shall be provided to appropriate persons who are responsible for the implementation and management of this policy.

#### E. Alcohol & Controlled Substances Prohibitions

An employee is prohibited from the operation of a commercial motor vehicle and/or from engaging in any work-related functions for alcohol-related conduct: (1) while consuming alcohol; (2) while having a blood alcohol concentration of 0.02 or greater; (3) within four (4) hours of consuming alcohol; (4) after refusing to submit to an alcohol test; and (5) from consuming alcohol within eight (8) hours after an accident as specified in this policy.

An employee is prohibited from the unauthorized use of a controlled substance at any time, whether on or off duty.

An employee is prohibited from the unauthorized possession of alcohol while on duty and of controlled substances at any time, whether on or off duty.

Any employee convicted of illegal conduct related to controlled substances or alcohol or who fails to report such a conviction to the policy administrator shall be subject to immediate termination from service.

Any employee whose job performance requires the possession of a valid CDL and who loses the CDL for a violation of or because of the law shall be subject to disciplinary action up to and including termination from service. The employee shall notify the policy administrator and the employee's immediate supervisor of the loss of the CDL. Failure to notify the policy administrator of the loss of the CDL shall result in immediate termination from service.

Any employee who is consuming a prescribed or authorized controlled substance or other substance of any kind whose side effects may inhibit or impair the employee's performance shall provide written notice to the human resources department of such consumption upon reporting to work and prior to engaging in any work-related activity, or earlier if possible and shall provide a letter from the employee's physician stating that the employee does not suffer from any such side effects and therefore is capable of safely completing the employee's job description. Failure to report shall be cause for disciplinary action up to and including termination from service.

#### F. Controlled Substance & Alcohol Testing Provisions

Employees subject to this policy shall be subject to controlled substances and alcohol testing including the following types of tests: pre-employment testing; random testing (except as provided herein); reasonable suspicion testing; post-accident testing; return-to-work testing; and follow-up testing to rehabilitation programs.

1. Pre-Employment Testing: Pre-employment urine drug testing shall be required of all applicants for positions covered by this policy as a condition of the application procedure. Future employment as defined shall be considered as if the application was for original entry into service for purposes of this policy. Receipt of satisfactory test results is required prior to commencement of employment and/or engaging in safety-sensitive functions, and the failure of a controlled substance or alcohol test disqualifies an applicant from appointment to employment for a period of at least 120 days. Evidence of the absence of controlled substances or alcohol dependency from a Substance Abuse Professional (SAP) and negative controlled substance and alcohol tests shall be required prior to further consideration for any employment, including reports from prior employers upon an employee's written authorization.
2. Reasonable Suspicion Testing: Reasonable suspicion testing shall be used to determine fitness for duty evaluations, including appropriate urine and/or breath testing when there are objective observable reasons to believe that a controlled substance or alcohol use is adversely affecting an employee's job performance or that the employee has violated this policy. Reasonable suspicion referral for testing shall be made based on documented objective facts and circumstances which are consistent with the effects of substance use. Reasonable suspicion observations and reports can only be made by supervisory or management personnel who are trained to detect the signs and symptoms of controlled substance and alcohol use and who may reasonably conclude that an employee may be adversely affected or impaired in the employee's work performance due to the use of the

controlled substance or alcohol. The observing supervisor or manager, whether or not the person is the employee's immediate supervisor, is required to complete the appropriate required documentation concurrently with the observation and consideration to impose reasonable suspicion testing. Reasonable suspicion testing shall be required and completed whenever possible within two (2) hours of the observation, but in any case, no later than before eight (8) hours after the observation for breath alcohol testing and thirty-two (32) hours for controlled substance testing.

3. **Post-Accident Testing:** Post-accident testing shall be required to test employees after a vehicular accident has occurred in which a fatality has occurred, or when a traffic citation is issued to a City employee after an accident, or when disabling damage to one or more vehicles requires towing from the accident site to occur, or testing may be required where any accident (vehicular or involving equipment) results in injury to a person requiring medical assistance beyond first aid. Testing shall include both breath alcohol and urine drug testing of the employee(s). Post-accident testing shall be required and completed whenever possible within two (2) hours of the accident occurrence, but in any case, no later than before eight (8) hours after the accident for breath alcohol testing and thirty-two (32) hours for controlled substance testing. An employee involved in an accident shall refrain from alcohol consumption for eight (8) hours following the accident. Transportation shall be provided by the employee's immediate supervisor.
4. **Random Testing:** Random testing shall be conducted on all persons covered by this policy. Random testing shall be unannounced and conducted with unpredictable frequency throughout the year using an established scientifically based selection method. Testing shall be conducted whenever and as ordered by appropriate supervisory personnel, but no less frequently than required by federal law and regulations, and in such numbers as is minimally determined under the regulations.
5. **Return-to-Work Testing:** Return-to-work urine drug and alcohol testing for all employees covered by this policy shall be required for all employees who previously tested positive on a controlled substance or alcohol test. The employee must test negative and be evaluated and released to return to work by a SAP reasonably approved by the City before being permitted to return to work.
6. **Follow-up Testing:** Follow-up testing of employees returning to work shall be required. Employees shall submit to frequent, unannounced random urine drug and breath alcohol testing at least six (6) times in the following twelve (12) months after returning to work. Random testing may be continued for a period of up to sixty (60) months from the employee's return to work date. Any employee who questions the results of a required urine drug test under this policy may request that an additional test be conducted. The test must be conducted on a split sample that was provided at the same time as the original sample and the test analysis shall be conducted at a different qualified laboratory than where the original test was conducted. All costs for employee-requested testing shall be paid by the employee unless the second test invalidates the original test. An employee's request for a re-test must be made to the Medical Review Officer (MRO) within seventy-two (72) hours of the notice to the employee of the initial test result. Requests made after the seventy-two (72) hour limit will only be accepted if the delay was due to documentable facts that were beyond the reasonable control of the employee. The method of collecting, storing, and testing the split sample required under this policy shall be consistent with the procedures established in 49 CFR Part 40.

7. Failure to Test: Any employee who fails to submit to the required testing under this policy is considered to have tested positive and shall be subject to all the consequences that flow related to positive testing.

Any employee ordered to test shall report immediately to the test site upon being ordered to submit to testing. No delay of any type may be granted or taken. Delay in reporting by the employee shall be treated as a refusal to test and shall subject the employee to all the consequences that flow related to positive testing. Failure to provide a sufficient sample or for providing an adulterated sample shall be considered as a refusal to test and shall subject the employee to all the consequences that flow. Any employee and/or applicant may be accompanied by a designated City employee to the testing facility and observed up until the time of the testing. However, with regard to post-accident and reasonable suspicion testing, employees shall be accompanied by a designated City employee to the testing facility and observed up until the time of the testing.

#### G. Testing Controls

1. Alcohol: Federal regulations require breath testing to be done on Evidential Breath Testing devices approved by the National Highway Safety Administration. An initial screening test is conducted first. Any result that is less than 0.02 blood alcohol concentration is considered negative. If the blood alcohol concentration is 0.02 or greater, a second confirmatory test must be conducted. Any employee who tests with a blood alcohol concentration of 0.02 or greater shall be removed from service for at least twenty-four (24) hours. Any employee who is found to have engaged in prohibited alcohol conduct under this policy shall be immediately removed from work-related activity; and the employee shall not be permitted to resume work until the employee is (1) evaluated by a SAP, (2) complies with the rehabilitation contract if such is required, and (3) has tested negative in a follow-up test.
2. Controlled Substances: Controlled substance testing is conducted by analyzing an employee's urine specimen performed at a laboratory certified and monitored by the U.S. Department of Health & Human Services for the following federally-controlled substances:
  - a. Marijuana (THC metabolite)
  - b. Cocaine
  - c. Amphetamines
  - d. Opiates (including heroin)
  - e. Phencyclidine (PCP)
  - f. Methadone
  - g. Barbituates
  - h. Benzodiazepines
  - i. Tricyclic antidepressant
  - j. Methamphetamine

The testing for controlled substances is a two-stage process. First a screening test is conducted. If the test is positive for one or more of the controlled substances, a confirmatory test is conducted for each identified controlled substance. The confirmatory test is a gas chromatography/mass spectrometry (GC/MS) analysis. Any employee who tests positive on the confirmatory test shall be interviewed by the City's Medical Review



Officer (MRO). The employee shall be immediately removed from work-related activity; and the employee shall not be permitted to resume work until the employee is (1) evaluated by a SAP, (2) complies with the rehabilitation contract if such is required, and (3) has tested negative in a follow-up test.

#### H. Employment Assessment

An employee who tests positive for the presence of controlled substances or alcohol above the minimum thresholds set forth in the federal regulations shall be evaluated by a SAP. The SAP shall evaluate each employee who tests positive to determine what assistance, if any, the employee needs in resolving problems associated with the controlled substance or alcohol.

Assessment by a SAP does not protect an employee from disciplinary action or guarantee continued employment or reinstatement by the City. The City's disciplinary policy provides guidance to the discipline that may be imposed.

#### I. Rehabilitation Effort

Any employee who is determined to need assistance for a controlled substance or alcohol-related problem under this policy by the SAP may be permitted to enter into a rehabilitation plan approved by the City, at no cost to the City, provided the employee agrees to adhere to the terms of the rehabilitation contract with the City.

Failure to complete the rehabilitation assistance plan or to adhere to the rehabilitation contract shall be considered a resignation by the employee from employment with the City.

The rehabilitation contract shall include the following terms and conditions to be adhered to by the employee who is granted rehabilitation assistance:

1. the employee shall agree to undertake and successfully complete the rehabilitation assistance plan established for the employee by the SAP or by a rehabilitation professional accepted by the City; and
2. the employee agrees to refrain from any violation of this policy and the use of controlled substances and alcohol consistent with the plan of rehabilitation and this policy; and
3. the employee provides a release of all medical records for use and review by the City relating to the rehabilitation assistance plan for the assistance undertaken and compliance; and
4. the employee agrees to unannounced random testing for City- determined periods of time subsequent to the employee's return to work consistent with this policy; and
5. the employee agrees to submit to return-to-work testing demonstrating that the employee is negative under controlled substance and/or alcohol test standards; and
6. the employee agrees that any future controlled substance or alcohol violations shall be considered as a resignation of the employee from City service without recourse.

## J. Contractual Support Professionals

Other than as set forth herein, any testing done by the City or at the City's direction shall be done by an appropriately certified testing laboratory to conduct the controlled substance testing analysis and reporting required under this policy and under the federal regulations in conformity with the standards established under the federal regulations. The City may contract for the required alcohol testing or may perform the testing using qualified City personnel who utilize appropriate testing equipment.

The City shall engage the services of an independent contractor to serve the City as the MRO who is properly credentialed and trained in compliance with the federal regulations, who shall not be an employee of the City. The MRO shall, as a part of the engagement contract, maintain all relevant records and provide the required reports that the City needs to comply with the federal reporting requirements.

The City shall appoint a SAP for the providing of services under this policy and in compliance with the federal regulations.

## K. Education & Training

The City shall provide all employees with a copy of this policy and access to materials related to the effects of the use and/or abuse of alcohol and controlled substances. The City shall also provide information to employees regarding treatment and rehabilitation available. Employees shall be required to confirm receipt of this policy and any revisions and of the educational materials in writing, noting the date of receipt and acknowledgement by signature witnessed by the supervisor providing the materials.

The City shall develop and provide training for all supervisors and managers who are responsible for the administration and enforcement of this policy. The training, at a minimum, shall include at least sixty (60) minutes of a program on the physical and behavioral effects on personal health, safety and on the work environment and performance indicators on the effects of alcohol use and abuse, the side effects of abuse, and the consequences of prohibited work-related activity involving alcohol consumption. The training shall include an overview of this policy and its implementation and application to employees. The training, at a minimum, shall include at least sixty (60) minutes of a program on the physical and behavioral effects on personal health, safety and on the work environment and performance indicators of controlled substances use and abuse, the side effects of controlled substance abuse, and the consequences of prohibited work-related activity involving controlled substances. Training shall also include a component related to objective observation for reasonable suspicion testing, documentation and record keeping. The training may also provide components related to City-sponsored or supported referral programs and employee assistance efforts that are sanctioned to deal with alcohol and controlled substance use and abuse problems.

## L. Confidentiality

All records developed and/or acquired pursuant to this policy shall be maintained under strict confidentiality by the City, the testing laboratory, the MRO, and the SAP, when and as

applicable. The records shall be maintained separately from other personnel records kept by the City and shall be kept in a secured location with other medical records. Materials shall not be released to others without the written consent of the affected employee, except under provisions provided in the federal regulations, as needed with regard to the rehabilitation contract, in litigation or quasi-judicial and administrative proceedings related to positive test results and/or to matters initiated by an employee.

#### M. Disciplinary Issues

Unless otherwise specified in this policy, the City's policies related to disciplinary action shall be followed when imposing discipline for violation of this policy.

The acceptance by an employee of the rehabilitation assistance plan and contract does not serve as a bar to imposing disciplinary action related to violations of this policy, up to and including termination.

Any supervisor or manager who knowingly permits an employee to violate this policy or engage in work activity while consuming alcohol or a controlled substance or fails to enforce this policy shall be subject to immediate termination from employment.

This policy does not displace any other penalties that may be imposed or be incurred because of violation of City policy or state and federal laws, or as provided in the workers' compensation laws.

#### N. Coordination with Other Laws & Policies

This policy shall be administered in compliance with other federal, state and local laws related to employee health & welfare policies, leave policies, benefit programs and other related policies of the City. In the case of apparent conflicts between this policy, other policies, and applicable laws, the policy administrator shall make the appropriate rulings to resolve the potential conflicts, whenever possible.

If any part of this policy is judicially determined to conflict with any law or to be in violation of any law or is rendered ineffective because of some state or federal legislative enactment, that part(s) shall be void, but the remainder of the policy shall remain in effect. Parts that are void or voided shall be replaced as soon as possible to maintain the full effect of this policy and/or to bring it into compliance with relevant laws.

#### O. Amendments

This policy is subject to amendment by the City from time to time. Amendments that are made shall be provided to employees upon adoption and shall become effective as provided by the policy administrator.

#### P. Drug Awareness Program

Employees are made aware of the drug-free workplace policy and the dangers of drugs in the workplace through the display and distribution of informational material. For employees

performing safety-sensitive functions, which include any duties related to the safe operation of City vehicles or equipment, the information includes the effects and consequences of drug use on personal health, safety and the work environment, and the manifestations and behavioral cues that may indicate drug use and abuse. Supervisors shall receive training on the physical, behavioral, and performance indicators of probable drug use. The program also includes information about the availability of drug counseling and rehabilitation as provided by the Employee Assistance Program.

#### Q. City's Right to Test

An individual may not be hired to perform a safety-sensitive function unless the individual passes a drug test of urine for evidence of marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines. All new hires and re-hires of full-time, part-time, or temporary/seasonal employees may be required to take a urine or other medical test and to agree in writing to allow the results of those tests to be furnished to and used by the City. Those persons who do not pass such test(s) shall not be employed.

### *Section 3-3 Health and Safety*

All employees shall be responsible for performing work assignments in a safe manner. Prime consideration shall be given to safety in all work situations.

#### A. All employees shall:

1. be thoroughly familiar with safety requirements and practices applicable to their respective work assignments;
2. actively observe safety practices, and report unsafe or potentially dangerous conditions and accidents or injuries to their supervisor immediately;
3. refrain from engaging in horseplay, wrestling, hazing of co-workers, and any other unsafe practice under penalty of disciplinary action up to and including dismissal;
4. wear protective equipment, use protective devices and wear safety belts in all City vehicles so equipped;
5. report to supervisors any suspension, revocation or other loss or potential loss of the right to legally drive a motor vehicle if driving a City vehicle is a responsibility or privilege of the job;
6. be properly licensed at the time of employment or assignment to a vehicle (if they are responsible for driving City vehicles) and, upon each license renewal date, must complete driver training or driver performance qualification checks as required by the department before operating City vehicles.

#### B. The City will pay for immunizations when approved by the City Administrator.

#### C. The City may retain a physician(s) to perform services for the City. These services may include post-offer employment physicals, disability retirement physicals, examinations and/or treatment of on-the-job injuries, and verification of illness and/or injury, among other services. An employee may be directed by his supervisor to see the retained physician(s) at the expense of the City, and it will be the responsibility of the employee to make any scheduled

appointments with the retained physician(s). For charges not covered by Workers' Compensation, the City will pay for the cost of the examination only. Any referral or additional charge outside the examination can be submitted to the City's health insurance plan, with the employee responsible for any portion not paid by the health plan.

- D. Safety eye glasses and safety boots or shoes shall be provided for all employees whose jobs warrant such protection as designated by the department head. The City will provide a limited number of styles meeting safety standards from which employees may select.
- E. Safety shoes, boots and glasses will be repaired or replaced by the City as necessary. Replacements and repairs may be made without cost to the employee if the shoes, boots or glasses are damaged during the employee's job performance or when an eyeglass prescription changes. Employees must present their damaged shoes, boots and glasses to the supervisor to obtain permission before obtaining replacements.

### *Section 3-4 Smoking Cessation and Smoking Permitted Areas*

The City maintains a tobacco-free environment for the preservation and protection of the health of our employees and the public. "Tobacco Product" means any product that is made from or derived from tobacco, and is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, snus, or an electronic smoking device. The term includes any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, or liquids used in electronic smoking devices. Tobacco product does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

Tobacco use is prohibited inside City-owned office buildings, while operating City-owned vehicles and equipment, and while performing the duties of the job.

Smoking Permitted Areas are limited to one each at City Hall, Street Department building/Water Plant, Parks Department building, and Wastewater Plant. Smoking Permitted Areas are designated by department heads and approved by the City Administrator, identified by signage, and may be utilized by employees only prior to the employees' scheduled start of work time, during authorized employee breaks, or after the employees' scheduled ending work time.

### *Section 3-5 Applicants and Employees with Disabilities*

Assistance shall be available to applicants with disabilities who may require personal assistance to participate in the selection process. Such assistance shall include but not be limited to providing readers for the vision-impaired and written materials for the hearing-impaired.

In determining whether an applicant or employee with a disability shall be accommodated, the following shall apply. The applicant or employee must make a documented request for reasonable accommodation. The department head and human resources department shall consult with the

disabled individual regarding an appropriate accommodation. If the accommodation does not impose an undue hardship, the accommodation shall be implemented.

Assessing the reasonableness of the possible accommodations shall include the following factors:

1. how well it accommodates the needs of the individual with a disability;
2. how reliable it is;
3. whether it can be made available in a timely manner;
4. and whether it imposes an undue hardship defined as an action requiring significant difficulty or expense.

The City Administrator, under the supervision of the Mayor, shall make the final decision as to whether the accommodation is reasonable and does not present an undue hardship.

Employees and applicants with disabilities shall be afforded a procedure that provides for prompt and equitable solutions to complaints. Employees shall utilize the grievance procedure described in Article 17 of this manual. Applicants shall use the procedure found under the special policy of the City relating to disabilities and the accessibility of services.

### *Section 3-6 Attitude and Appearance*

A friendly and courteous attitude by City employees toward the public and coworkers is required at all times. Similarly, employees are expected to deliver prompt, thorough, and efficient service to citizens to the best of their ability. All employees are required to maintain a neat and clean personal appearance. Each employee shall be subject to specific department rules and regulations concerning proper clothing, personal hygiene, and grooming. For certain employees, the department should require shirts with the City of Smithville logo.

### *Section 3-7 Uniforms; Clothing Provisions*

The City will provide for the uniform and special clothing needs of its employees. The needs will be met by the purchase or lease of the appropriate uniforms and clothing, and generally may include dry cleaning services where necessary. The employee will be responsible for the proper care and use of clothing and uniforms and the laundering of same, if appropriate.

A uniform allowance may be provided to employees to purchase any additional required special clothing. It will be the responsibility of the employee to adhere to required uniform policies approved by the City.

### *Section 3-8 Commercial Drivers' License*

The law requires employers to make certain that drivers of "commercial vehicles," including certain City vehicles, have the required class of commercial drivers' license for the size and type of vehicle they are required to drive. Depending on the particular job requirements, City employees may be required to possess a special class of license. The State may require a written test covering the class of vehicle operated and the applicable endorsements and restrictions.

Endorsements for hazardous materials, passenger, tank vehicle, double/triple trailer and restrictions for air brakes may also be required. Written testing varies with the class of license and the endorsements and restrictions. The actual driving test must be taken in a vehicle falling in the class applied for.

The City may provide employees with the training and assistance necessary to comply with the licensing requirements as follows:

1. up to four (4) hours training on the written testing materials;
2. up to two (2) hours training on the pre-trip portion of the test on a vehicle similar to the one the driver would drive during the testing;
3. and/or making an appropriate vehicle in the class an employee must be licensed in available to the employee for road testing and allow time for the testing.

Employees shall be required to have and maintain the necessary class of drivers' licenses at their expense.

### *Section 3-9 Weapons*

To improve the overall safety of the workplace, employees (other than City Police Officers) are not permitted to bring weapons to work or carry weapons in City vehicles. Prohibited weapons include guns, switchblades, or other knives (deemed to be dangerous or illegal), hunting bows, explosives, or other items which could be construed as weapons, such as paintball/air soft guns. A violation of this policy will be considered a serious offense, and employees violating this policy will be subject to disciplinary action, up to and including termination of employment.

Nothing in this Section shall preclude the Mayor and any member of the Board of Aldermen, or any Committee appointed by the Board of Aldermen who holds a valid State of Missouri concealed carry endorsement from carrying a licensed concealed firearm in compliance with the Missouri concealed carry law at a meeting of the City Board of Aldermen or City Committee of which they are a member.

### *Section 3-10 Workplace Violence and Threats*

The City is concerned about the safety of its employees and is committed to maintaining a work environment that is secure and free from incidents of violence or threats of violence. The City will not tolerate incidents of violence because such incidents are contrary to and interfere with City objectives. Acts of aggression are often precursors to actual violence so the City will give immediate attention and serious consideration to all reports of incidents of aggression and will initiate appropriate actions.

This policy defines aggression broadly as any of the following: unwelcome forceful physical touching; intimidating, threatening or hostile actions; intimidating, threatening or hostile communications, whether oral, written, or nonverbal, made in person or communicated by any other means; vandalism; arson; sabotage; throwing objects; unauthorized possession or use of a weapon on City property; or any other acts or communications of a similar nature. This policy also covers interpersonal conflicts occurring away from work that may create the risk of aggression

resulting from such conflicts being carried out while at work. All City employees are required to immediately report any acts or threats of aggression to the human resources department, the City Administrator, and the Chief of Police. A violation of this policy will be considered a serious offense, and employees violating this policy will be subject to disciplinary action, up to and including termination of employment.

#### *Section 3-11 City's Right to Search*

When the City has reason to believe an employee is violating any policy regarding contraband or controlled substances or other rules, the employee may be asked by the City to submit immediately at any time (including breaks and the meal period) to a search of the person and/or to make the employee's locker, lunch box, briefcase, purse, pockets, wallet, personal belongings, desk, vehicles, or any other receptacle the employee uses or has access to, available for inspection. Entry on to City premises constitutes consent to searches and inspections. Refusal to consent to a search or inspection when requested by the City constitutes insubordination and a violation of City policy which will subject the employee to disciplinary action up to and including termination.

### **ARTICLE 4 PAYROLL**

#### *Section 4-1 Pay Periods; Pay Days*

Pay days shall be on a bi-weekly schedule with pay day on the Friday after the completion of the pay period. Pay periods shall run from Sunday through the following second Saturday.

#### *Section 4-2 Direct Deposit*

All employees are required to participate in direct deposit as a condition of employment. Employees are allowed to select the financial institution that will receive the direct deposit.

Employees must complete a Payroll Direct Deposit application form to participate. The completed application authorizes the City to deposit (credit) the employee's net pay into a designated checking or savings account. It also authorizes an employee's account to be debited only when an error has occurred in a payment to the employee.

Payroll direct deposit of the employee's net pay will begin the pay cycle following the acceptance of a properly completed application form. The City will conduct payroll direct deposit through the automated clearing house system (ACH), utilizing an originating depository financial institution. The rules of the National Automated Clearing House Association (NACHA) and its member local Automated Clearing House Associations shall apply, as limited or modified by law.



## **ARTICLE 5 INTRODUCTORY AND QUALIFYING PERIODS**

### *Section 5-1 Purpose*

An introductory working period shall be an integral part of the examination process and shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee or rehired employee to the position, and for replacing any employee whose performance does not meet the required work standards. A new employee who has not successfully completed an introductory period and/or extension thereof, shall not have access to grievance or appeal privileges.

### *Section 5-2 Duration*

All original appointments and re-employments to full-time and part-time positions shall be tentative and subject to an introductory period. For entry-level personnel in the law enforcement department, this period shall be for at least one (1) year from the date of employment and 18 months for all Police Academy Recruits. All other appointments shall be subject to an introductory period of at least six (6) months.

### *Section 5-3 Evaluation and Counseling*

During the employee's introductory period work habits, abilities, attitude, promptness and other pertinent characteristics will be observed and evaluated by the supervisor, department head and other appropriate City officials. Supervisors shall observe the employee's work performance and shall counsel an introductory employee whose work performance is marginal or inadequate. Employees should be notified in writing of the steps that must be taken to achieve an acceptable level of work performance.

### *Section 5-4 Extension of Introductory Period*

With the approval of the City Administrator or of a department head, the original introductory period may be extended to a maximum of fifty (50) percent of the original length of time if circumstances warrant an extension.

### *Section 5-5 Termination During Introductory Period*

An employee terminated during the introductory period shall not have access to grievance procedures. The department head shall fill out the appropriate personnel action forms when a decision on termination has been made, and such termination will be official when such forms are signed by the City Administrator and filed with the human resources department. If the introductory employee fails to meet required standards of performance, such employee is to be dismissed. During the introductory period for new employees, the employee is not eligible to use sick or vacation leave, except with the direct permission of the department head, but will earn credit for those to be taken at a later date. Wages for designated holidays falling within the introductory period will be paid to introductory employees.

At the end of each employee's introductory period, the department head shall complete a probationary report and notify the City Administrator and the human resources department in writing that either:

1. the employee has successfully completed the introductory period and can perform the duties of the position satisfactorily, and is henceforth to be considered a full-time employee with all the rights and privileges due such an employee; or
2. the employee has not demonstrated ability to perform satisfactorily the duties of the position and is to be separated from city employment, or if promoted from another position, returned to the previous or similar classification.

## **ARTICLE 6 COMPENSATION PLAN**

### *Section 6-1 Authority to Establish Salaries*

The City shall establish pay ranges for the officers and employees under the jurisdiction of the City.

### *Section 6-2 The Compensation Plan*

The compensation plan for the City service shall include:

1. a schedule of standard salary ranges and rates of pay indicating the minimum and maximum rates of pay for each classification approved for City use, or as otherwise established by law;
2. a list of classes of positions with the salary range number and minimum and maximum rates of pay shown for each class of positions;
3. supplements, amendments, and/or revisions, from time to time, as passed by the City; and
4. job descriptions of each position.

### *Section 6-3 Standards for Determination of Pay Ranges*

Pay ranges shall be related directly to the salary schedule set by the Classification and Compensation Study completed and approved by the Board of Aldermen on January 18, 2022. Placement of an employee in specific pay ranges shall be determined with due consideration to ranges of pay for other classes, the relative difficulty and responsibility of work, market analysis, and internal equity. The minimum and maximum rates of each pay range shall be reviewed annually with the adoption of each budget, considering the above factors, cost-of-living factors, and the financial policies and economic considerations of the City.

### *Section 6-4 Amendment of the Compensation Plan*

Any department head in the City service may initiate a written request to the City Administrator for the amendment of the pay plan. The City Administrator shall study and make a determination concerning the request and shall notify in writing, the person and department concerned of the disposition of the request.

Prior to the preparation of each annual budget, as well as at other times, the City shall make comparative salary studies as deemed necessary concerning factors affecting the level of salaries in the City service. Based on the information derived from such wage and salary studies, the City shall adopt such repositioning of classes pertinent to the internal equity and external competitiveness of the overall compensation program.

In arriving at such salary recommendations, the City Administrator shall take into consideration the advice and suggestions of department heads and appointing officers as to the duties, degree of responsibility, and working conditions involved. Recommendations made for the amendment of the compensation plan for repositioning or reclassification of specific classes of positions shall

be considered by the City. When adopted by the City, these amendments shall become part of the compensation plan and shall become the current official salary schedule applicable to the respective classes of positions as enumerated therein, and shall be used by all departments in connection with all payrolls, budget estimates, and official records and reports relating to salaries and wages of positions in the City service.

#### *Section 6-5 Total Remuneration*

Any salary rate established for an employee shall be the total remuneration for the employee, exclusive of overtime services, not including reimbursement for official travel or other authorized allowances. Except as otherwise provided in this article, no employee shall receive pay from the City in addition to the salary authorized under the schedules provided in the pay plan for services rendered, either in the discharge of ordinary duties or any additional duties which may be imposed or which the employee may undertake or volunteer to perform.

In any case in which part of the compensation for services in a City position, exclusive of overtime services, is paid by another department, division, or an outside agency such as the City, state, or the federal government, or from a different fund or account, any such payments shall be deducted from the compensation of the employee concerned, to the end that the total compensation paid to any employee from all sources combined for any period, shall not exceed the amount payable at the rate prescribed for the class of position to which the employee is certified and assigned.

#### *Section 6-6 Dual Employment Prohibited*

No full-time employee holding a position in the City service shall be eligible for employment in any additional position in the City service.

#### *Section 6-7 Special Assignments*

Employees assigned to undercover work which causes the individual to mock employment with an organization other than the City shall reimburse the City for any earnings in excess of earnings provided by the City.

#### *Section 6-8 Application of the Compensation Plan*

The compensation plan, containing standard salary ranges for respective classes of positions, shall be applied to all such classes of positions in accordance with the following:

1. Rates: all rates prescribed in the ranges of pay represent the total remuneration, including pay in every form authorized for full-time employment. Where employment in a position is on a part-time basis, that is, where the week's work is less than an ordinary work week, or where the day's work totaled weekly on a continuing basis consists of less than the ordinary work week total, or where the day's work on a continuing basis consists of less than the ordinary number of working hours of an ordinary working day, such service shall be compensated on the basis of the equivalent hourly rate for full-time employment.
2. Minimum and maximum salaries: under each salary schedule there are set forth a minimum and a maximum salary rate. Except as otherwise provided in these rules, appointment to

any position shall be offered at the minimum rate. Any appointment may also include negotiation based on experience and education and the approval of the City Administrator. Advancement may be accomplished based on meritorious service and efficiency evidenced through annual performance appraisals or increased certifications.

3. Part-time and temporary employment: Part-time or temporary employees shall be compensated based on the equivalent hourly rate paid for full-time employment and shall be paid for only those hours which they work.

#### *Section 6-9 Salary Advancements*

Merit salary advances may be made to employees who have not reached the maximum in the salary range only in accordance with the following rules. Merit increases must be substantiated by "successful" or better performance as documented through the performance appraisal process.

Merit increases may be given as approved by the City Administrator and/or department heads within the budget approved by the Board of Aldermen.

Department heads may establish, subject to the approval of the City Administrator, career development plans for positions within their departments. The purpose of the establishment of these plans shall be to provide career paths for employees to reward experience and reduce turnover. Any approved career development plan must be turned in to the human resources department for proper filing.

#### *Section 6-10 Pay Rate Adjustments*

The following personnel actions may affect the pay status of an employee in the manner provided:

1. Transfer: when an employee is transferred between departments and divisions of the City government or between classes with the same maximum salary rate, the salary rate of the employee will remain unchanged unless the current rate is below the minimum pay rate established for the class to which the employee is transferring.
2. Promotion: when an employee is promoted from a position in one class to a position in another class having a higher maximum salary, the salary rate of the promoted employee may be increased to the higher new minimum salary.
3. Demotion-Involuntary: when an employee is involuntarily demoted from a position in one class to a position in a class having a lower maximum salary rate, the salary rate of the employee shall be reduced to within the pay range established for the class to which the employee is demoted, and the employee shall not be eligible for promotion or a merit salary increase for a period of one (1) year from the date of demotion.
4. Voluntary Reduction: when an employee is voluntarily reduced from a position in one class to a position in a class having a lower pay range, the rate of pay for the employee shall be reduced if necessary to place it within the pay range assigned to the lower class. The employee shall not be eligible for promotion or a merit salary increase, if not at the top of the range, for a period of six (6) months from the effective date of reduction.
5. Reclassification: when a position is reclassified to a class having a lower maximum salary rate than an employee's current position, and this action is for the benefit of the City and the incumbent, and is not a demotion, the employee shall retain the same rate of pay in

the new position as the employee had in the previous position. This action shall not affect the employment anniversary date. When a position is reclassified to a class having a higher maximum salary rate than an employee's current position, the employee's salary may be increased at least to the minimum of the new range or if already at or above the minimum, may be raised further.

#### *Section 6-11 Temporary Assignment to Higher Level Position*

Employees who are promoted temporarily, for a period of five (5) consecutive days or longer to perform all the duties of a supervisory position in a class with a higher maximum salary than said employee's current salary shall have their salaries temporarily increased to the minimum salary range of the supervisory position for the time said employee performed the supervisory duties.

#### *Section 6-12 Overtime and Compensatory Time*

Supervisors shall develop methods and procedures to maximize productivity and reduce or avoid the need for overtime. It is the responsibility of each employee to work as efficiently as possible to accomplish job tasks during regularly scheduled work hours. All overtime or arrangements for overtime work shall be approved by the department head in advance. A determining factor in the approval of overtime work is whether the work could be accomplished through rescheduling of employee work hours and allowance of time off in the same work period. These factors reduce the burden of overtime on employees and avoid accrual of comp time and excessive overtime payments. Overtime is based on work hours in excess of forty (40) hours in a 168-hour period during seven (7) consecutive 24-hour periods (standard work week). A standard work week shall commence at 12:00 a.m. Sunday morning and continue until 11:59 p.m. the following Saturday. Hours worked in excess of a standard work week or duty tour by employees covered by the provisions of the Fair Labor Standards Act (FLSA) shall be compensated by payment at one and one-half (1½) times the straight hourly equivalent rate for the classification or by the award of compensatory time off equal to one and one-half (1½) times the overtime hours worked at the discretion of the City Administrator. Hours worked shall only include hours actually worked on the City's behalf. [For clarity, hours worked is as defined in the FLSA and does not include vacation, personal, military leave, emergency leave, jury leave, disability leave and sick leave hours.]

Compensatory time shall be allowed for nonexempt employees only with approval from their supervisor prior to the hours being worked. If approved by a supervisor, the employee must take compensatory time in the same pay period in which it was accrued. For exempt employees, overtime is considered part of their job responsibility and does not justify overtime pay or compensatory time. Notwithstanding the foregoing, compensatory time off may be granted to exempt employees for overtime work under exceptional circumstances as the City Administrator may authorize.

Department heads may require, out of necessity for the expeditious conduct of public business or for the protection of the public business or for protection of the public health, safety, or welfare, that an employee work overtime. Failure to comply with such requests shall constitute a violation of these rules and regulations and provide grounds for disciplinary action as herein provided.

Notwithstanding the above, Law Enforcement personnel, under the provisions of the 207(k) exemptions of the Fair Labor Standards act (FLSA), shall be paid overtime for hours worked in excess of 80 hours during a 14-day work period, which for purposes hereof, will be the same as the pay period.

### *Section 6-13 Call-Back and On-Call Time*

*Callback Definition:* A call back occurs whenever an employee is required to return to work after they have left work at the end of normal shift for that day.

Employees who have left their normal workplace and who are called back to work shall be credited for actual time worked regardless of the number of individual calls or a minimum of two (2) hours, whichever is greater, except the minimum guarantee shall not apply to calls which occur within two (2) hours of a scheduled reporting time. All call-back time shall count as hours worked, including minimum guarantee time. Employees shall accumulate time from the time they begin to perform services for the City until they complete the services or are relieved from duty.

Employees who are required to appear in court in conjunction with their duties for the City shall be treated as called-back employees if the court appearance does not fall within their work schedules.

*On-Call Definition:* Some employees will be required to rotate on an on-call basis to provide adequate call-back coverage. Employees designated to be on-call are expected to respond to departmental after-hour service needs as required by procedures established by their department.

Department Heads in consultation with Human Resources are responsible for determining the need for On-Call availability and for assigning employees to On-Call status. The supervisor of the employee assigned to On-Call status shall maintain a roster of all qualified employees who may be required to be On-Call. An equitable rotation policy shall be followed in requiring employees to be On-Call.

Employees scheduled and performing on call duty shall be paid one (1) hour regular pay for each weekday and two (2) hours pay for each weekend day and holiday in an on call status regardless of whether or not they are called in to work. Employees who are on call are required to answer the call to return to work within one hour.

## **ARTICLE 7 PERFORMANCE APPRAISAL**

### *Section 7-1 Responsibilities*

The City Administrator, in conjunction with the human resources department, shall develop and maintain an employee appraisal system for the purposes of evaluating individual work performance, identifying training needs and employee development opportunities, and for improving the efficiency and productivity of the City workforce. The human resources department shall develop and cause to be maintained formal procedures to (1) ensure timely completion of employee performance appraisal forms, (2) periodically review the evaluations of employees within department and work units to ensure the equitable administration of the system, and (3) make such studies and recommend such modifications or revisions as may be necessary to improve the system or process.

No later than ten (10) calendar days before an evaluation is due, the department head shall notify the person responsible for the evaluation.

Each department head or supervisor who reviews or conducts an evaluation shall be responsible for its quality, consistency, equity, and timeliness.

No public disclosure of an employee's performance appraisal record shall be made except as set required by law or without the permission of the employee and the City Administrator. Such record shall be made available upon request to the employee; to an appointing authority when needed in connection with a potential action for promotion, transfer, demotion, or dismissal of the employee; or other appropriate officer when needed in connection with an adverse action, grievance, or other relevant matter requiring such information; and to official investigatory agencies after a determination by the City Administrator that such disclosure is in the public interest.

### *Section 7-2 Employee Performance Appraisals*

Prior to the expiration of an employee's introductory or qualifying period, completed performance appraisal forms must be submitted to Human Resources. Original appointees must obtain an appraisal of successful or better to complete the period. Failure to obtain an evaluation of acceptable or better shall result in dismissal or extension of the introductory period as provided in Article 6.

Failure of a promotional appointee (current employee given a promotion as set forth herein) to obtain an evaluation of acceptable or better shall result in the reassignment of the employee to a position in the class held prior to the promotional appointment provided a vacancy exists.

Full-time and part-time employees shall be evaluated at least annually by the end of the calendar year or such other time as deemed appropriate by the City Administrator. An evaluation of "successful" or better is required to qualify employees for a pay increase within the range of their classification. Employees receiving an evaluation of "needs improvement" must be placed on a performance improvement plan. A performance improvement plan is a tool to give an employee with performance deficiencies the opportunity to succeed.



## **ARTICLE 8 WORK SCHEDULES AND ATTENDANCE**

### *Section 8-1 Regular Working Hours; Exceptions*

Regular working hours for all full-time employees shall be forty (40) hours in any five (5) consecutive eight (8) hour days, except as noted below, provided approved prior to implementation by the City Administrator.

Department Heads shall arrange work schedules to meet the needs of the City service and may allow variable or flexible work schedules, providing that all work schedules for full-time employees shall not be less than eighty (80) hours in each bi-weekly pay period.

### *Section 8-2 Work Schedules Determined by Department Head*

The work schedules for employees shall be determined by the department head. Department heads shall maintain work schedules for all employees under their supervision on a current basis and give reasonable notice of changes in work schedules.

### *Section 8-3 Required Attendance*

Regular and punctual attendance at work shall be required of all employees. Employees who fail to observe attendance requirements and procedures for recording and reporting of attendance shall be subject to disciplinary action.

### *Section 8-4 Closure of Buildings*

The City Administrator, Mayor, or their designee shall be the only person authorized to release non-essential persons due to closure of a building. Employees shall be compensated their regularly scheduled pay for the day of closure if the closure is determined prior to their scheduled start time and if the employee does not have pre-approved leave time scheduled. Employees shall be compensated for the remainder of their days' pay if the closure is made after the start of their scheduled start time and the employee reported to work.

### *Section 8-5 Telecommuting Work Schedule*

Eligible employees may qualify for telecommuting. Eligibility and terms for telecommuting are outlined in Section 20-8.

## **ARTICLE 9 PAID HOLIDAYS**

All full-time and part-time employees (see below), shall receive compensation for the following holidays:

1. New Year's Day
2. Martin Luther King's Birthday
3. Presidents' Day
4. Memorial Day
5. Independence Day
6. Labor Day
7. Veterans' Day
8. Thanksgiving Day
9. Friday after Thanksgiving Day
10. Christmas Day
11. Two floating holidays

When a holiday falls on a Saturday, the preceding Friday shall be observed. When a holiday falls on a Sunday, the following Monday shall be observed. Employees required to work on a holiday shall be compensated in money for time worked on the holiday.

All full-time employees shall receive pay for 8 hours on any holiday. All part-time employees shall receive pay for 4 hours on any holiday. Any hours actually worked on the holiday will count in addition to the hours granted for the holiday.

The Mayor shall be the only person authorized to declare special holidays or days off as an unusual need or circumstance may occur.

Any employee absent without authorized leave on the day preceding and/or following a holiday shall not receive regular compensation for the holiday. Employees may not work additional hours prior to or following a holiday to prevent use of leave time on regularly scheduled work days immediately preceding and/or following a holiday.

Given the nature of the Public Works, Utilities and the Police Department, the department heads and the Chief of Police or their designee shall be responsible for scheduling employees to work holidays.

Employees shall be granted two (2) floating holidays. Employees with a beginning date of employment after June 30, will only receive one (1) floating holiday for that calendar year. Floating holidays must be used within the same calendar year as they are accrued and cannot be carried over to the next calendar year. They must be taken in their entirety and may not be used in increments. To take a Floating Holiday, employees must give their supervisor a minimum of seventy-two (72) hour notice. Employees will not be paid for any unused Floating Holidays upon separation of employment, and they may not be taken once a separation date has been announced.

## **ARTICLE 10 VACATION LEAVE**

### *Section 10-1 Amount*

Every full-time employee in the City holding a permanent status shall be allowed annual vacation leave with pay. Vacation leave shall be credited bi-weekly as follows:

1. until their fifth (5th) anniversary date of continual service, full-time employees will accrue 104 hours annually, distributed evenly over 26 pay periods; and
2. After their fifth (5th) anniversary date of continual service, until their tenth (10th) anniversary date of continual service full-time employees will accrue 136 hours annually, distributed evenly over 26 pay periods; and
3. After their tenth (10th) anniversary date of continual service, until their tenth (15th) anniversary date of continual service, full-time employees will accrue 168 hours annually, distributed evenly over 26 pay periods; and
4. After their sixteenth (16<sup>th</sup>) anniversary date of continual service, full time employees will accrue 200 hours annually, distributed evenly over 26 pay periods.

Every part-time employee in the City classified service holding a permanent status shall be allowed annual vacation leave with pay. Vacation leave shall be credited bi-weekly at a rate half that of a full-time employee.

Vacation time may be taken at any time following its accumulation, except during an introductory period.

### *Section 10-2 Accrual*

Vacation leave credit may be carried from one year to the next. Provided however, that the maximum amount of vacation time which may be accumulated shall be an amount equal to one and one-half (1½) times the amount of vacation time which can be earned in any one (1) year.

Vacation leave shall not accrue while the employee is absent from work without pay or is receiving benefits from a retirement system, long-term disability insurance, or Workers' Compensation.

If an employee leaves City service and is re-employed any time after a period of ninety (90) days, vacation is considered as for any new employee. Otherwise, the employee may accrue vacation commensurate with total years of service.

### *Section 10-3 Payment Upon Separation*

Any full-time Employee leaving the municipal service who has given the required notice and who is not terminated for cause, shall be compensated for credited and unused and accrued vacation leave as set forth in Section 10-2 above, to the date of his or her separation, provided he has been in the City service for at least one (1) year.

#### *Section 10-4 Holidays Occurring During Vacation Period*

Any official holiday as set forth in Article 9 which may occur during an employee's scheduled vacation period shall not be counted as a day of vacation.

#### *Section 10-5 Use of Vacation Leave*

Absence on account of sickness, injury or disability in excess of that hereinafter authorized for such purposes may, at the request of the employee and (except as set forth in Section 12-6) within the discretion of the department head, be charged against vacation leave allowance.

#### *Section 10-6 Vacation Schedules*

Each department head shall schedule vacation leave with regard to the seniority of employees, in accordance with operating requirements and, insofar as possible, with the requests of the employees. Vacations shall be scheduled by each department head to minimize overtime costs and departmental disruptions while allowing as much flexibility to the employees as possible.

Vacation shall, under normal circumstances, be taken in continuous increments of at least four (4) hours.

#### *Section 10-7 When Taken*

Introductory employees are not eligible for vacation leave pay, although vacation leave accrues from the first month of employment. Full-time employees are eligible to receive vacation leave pay only after they have successfully completed the introductory period. Introductory employees may be excused from work as absent without pay under the conditions and terms of this section.

#### *Section 10-8 No Hours*

If an employee does not have any accrued vacation or sick hours, that employee may take unpaid time off with the approval of the department head. That employee should request a "No hours" status in the payroll system.

#### *Section 10-9 Mandatory Vacation*

To maximize work integrity and personal well-being, one (1) workweek of continuous vacation must be used annually after two (2) years of employment. Non scheduled workdays are excluded from the workweek. A workweek is defined as 40 regularly scheduled hours for full time. Regularly scheduled hours for a workweek for part-time shall be their normal scheduled hours.

Any employee may appeal the requirement of vacation time taken to the City Administrator for reconsideration in accordance with this policy. The City Administrator shall either consider the request or assign a designee to consider the request within 10 business days. Appeals shall be in

writing and provided to the City Administrator. Consideration shall be given to unusual or uncontrollable circumstances, or the inability of the department to approve an employee's vacation request for the minimum use requirement.

#### *Section 10-10 Vacation Buyback*

Employees may request to receive payment for a portion of their unused vacation leave. Vacation leave that is bought back cannot substitute for an employee's mandatory vacation requirement. Employees will have an opportunity to request pay out of up to 40 hours of vacation time accrued on an annual basis. In order to request payment for unused vacation leave, the employee must maintain a minimum balance of 40 hours. Buyback will occur at the end of the calendar year. Written request must be submitted to the City Administrator 30 days prior to the end of the calendar year.

Payment for the requested and approved vacation buyback will be distributed with the first paycheck of the calendar year through a separate direct deposit. The payout will be subject to all federal, state, and statutory deductions. This payment will be included as taxable wages, and reported on your W-2 form.

If an employee requests and is granted the vacation buyback, eligibility to receive donated sick time from the Shared Leave Pool (Section 11-5) is forfeited for the following calendar year.

## **ARTICLE 11 SICK LEAVE**

### *Section 11-1 Amount*

All full-time City employees shall earn sick leave with full pay at the rate of four (4) hours for each pay period. Sick leave shall accrue from the date of employment, but shall not be taken until the successful completion of the introductory period, except with permission of the City Administrator.

All part-time City employees classified service holding a permanent status shall earn sick leave with full pay at the rate of two (2) hours for each pay period. Sick leave shall accrue from the date of employment, but shall not be taken until the successful completion of the introductory period, except with permission of the City Administrator.

Sick leave may never be taken in advance of accrual.

An employee may be eligible for sick leave for the following reasons:

1. personal illness or physical incapacity;
2. quarantine of an employee by a physician;
3. illness in the immediate family requiring the employee to remain at home; or
4. to keep a doctor's appointment.

An employee who is unable to report for work because of the above reasons shall report the reason for his absence to the supervisor within one (1) hours from the time he or she is expected to report for work. Sick leave with pay shall not be allowed unless such report has been made. Sick leave with pay in excess of three (3) working days shall be allowed only after presenting a written statement by a physician, certifying that the employee's condition prevented the employee from appearing for work.

At the department head's request, an employee will be required to present documentation to justify any sick leave taken, regardless of the amount of days used.

An employee terminating from City service shall not be allowed the use of sick leave in the last two (2) calendar weeks of employment. Unused sick leave will not be compensated for in any way at the time of resignation or dismissal of an employee.

Abuse of sick leave privilege can result in dismissal.

As required by the 1978 amendments to Title VII of the Civil Rights Act of 1964, pregnancy and pregnancy-related conditions shall be treated the same as any other illness or short-term disability.

Any change in an employee's physical condition such as an injury, illness, pregnancy or other condition that may possibly affect the ability of such employee to safely carry out his/her duties as an employee of the City of Smithville, such employee will be responsible in notifying his/her supervisor of such injury, illness, pregnancy or condition.

Family and medical leave shall be granted pursuant to provisions of the Family and Medical Leave Act of 1993 (FMLA) (See Section 13-6).

### *Section 11-2 When Taken*

Sick leave with pay will be granted for absence from duty because of actual personal illness, non-compensable bodily injury or disease, exposure to a contagious disease, or to keep a doctor or dentist appointment. Exceptions to this provision may be granted by the department head with the approval of the City Administrator if the employee has no accumulated comp time or vacation time.

Sick leave shall not be granted in cases where regular retirement, disability retirement or long-term disability insurance has been approved.

Introductory employees are not eligible for sick leave pay, although sick leave accrues from the first month of employment. Full-time employees are eligible to receive sick leave pay only after they have successfully completed the introductory period. Introductory employees may be excused from work as absent without pay under the conditions and terms of this section.

When an employee finds it necessary to be absent for any of the reasons specified herein, the employee shall report this fact to the immediate supervisor. Departments may require specific time frames for notice for work-related purposes. Sick leave may not be granted unless reported to the appropriate supervisor during the specified time frame.

An employee must keep the department head informed of the condition for the absence. The department head may require the employee to submit for any absence the treating physician's written notice of medical reason for the absence from work. Failure to comply with the provisions of this section shall result in denial of sick leave. Abuse of sick leave shall be cause for dismissal.

Transfer of vacation time to sick time shall only be allowed, pending management approval, for illness incurred while on vacation that resulted in a hospitalization.

Any authorized absence due to injury or illness covered by Workers' Compensation insurance shall not be charged against an employee's accrued sick leave.

### *Section 11-3 Accrual*

Full-time employees may accumulate sick leave with pay to a maximum of 1,000 hours. Sick leave does not accrue while the employee is absent from work without pay or is receiving benefits from Workers' Compensation, long-term disability insurance, or a retirement program sponsored by the City.

### *Section 11-4 Return to Work/Fitness for Duty Medical Examinations*

Medical examinations when required by the City shall be conducted at the City's expense by a physician designated by the City. The City shall pay for the cost of the examination only. Any

referral or additional charge outside the examination is the employee's responsibility. The City may require a medical examination of an employee before a return to work after an illness or injury or a fitness for duty examination, if the requirement for the examination is job-related, consistent with business necessity, and if the City has a reasonable belief that:

1. the employee's ability to perform essential job functions may be impaired by a medical condition; or
2. an employee may pose a direct threat (i.e., significant risk of substantial harm to the health and safety of self or others) due to a medical condition.

The City strives to assist employees to return to work at the earliest possible date following an injury or illness. However, this policy is not intended to supersede or modify the procedures applicable to employees eligible for reasonable accommodation or covered under the Americans with Disabilities Act (ADA) or leave benefits under the Family and Medical Leave Act (FMLA).

#### *Section 11-5 Shared Leave Policy*

##### A. Purpose

The purpose of this section is to establish a Shared Leave Program to provide additional paid leave to employees who are eligible to earn leave benefits who have exhausted all of the accrued leave time due to a serious personal or immediate family illness or injury which is life threatening, catastrophic or resulting in a permanent disability.

##### B. Use of Information

The Employee acknowledges that any information and documents presented to the City in support of an application for withdrawal from the Shared Leave Pool may be used by the City for any reasonable employment related matter.

##### C. Definitions

Shared Leave Pool Employee Pool – Defined as a City-wide pool which receives voluntary contributions of vacation or sick credits from employees eligible and converts it into leave credits to be used by eligible employees on behalf of themselves.

Shared Leave Committee – The “Shared Leave Committee” is a City-wide committee appointed by the City Administrator based on employee applications. It is comprised of four (4) fulltime employees which must include a Human Resources representative.

For the purposes of this policy the term “immediate family member” shall mean parent(s), Spouse or Significant other, child(ren) (including stepchild(ren) or foster child(ren)).

Donation of Vacation or Sick Time – Any employee that earns leave benefits is eligible to donate vacation or sick credits to the employee pool subject to the following conditions:

- 1) Contributions must be of at least one hour and employee must maintain an accrual of at least 40 sick hours.



- 2) Contributions will be converted to leave credits on an hour-for-hour basis.
- 3) Contributions made cannot subsequently be returned to the employee.
- 4) Employees may donate to the pool a maximum of 40 sick hours in any one calendar year.
- 5) Employees may not donate to the pool after having been terminated, resigned or have given notice of his/her retirement.
- 6) Employees may donate to the pool by submitting a Shared Leave Donations Form to their supervisor. Supervisors should submit the completed, approved form in order for the leave time to be made available to the respective pool the following pay period.

D. Eligibility to Make Withdrawals from Shared Leave Pool

The employee or immediate family member must have experienced an illness or injury which is life threatening, catastrophic, or resulting in a potentially permanent disability. The illness or injury does not have to be job related. The employee must have exhausted all of his or her accrued leave time (sick, vacation and compensatory leave) before being eligible to withdraw from the pool. The employee must have exhausted all workers' compensation indemnity payments (if applicable) before being eligible to withdraw from the employee pool. The employee cannot receive Shared Leave benefits while eligible to receive long term disability benefits. The employee is not required to have previously contributed to the pool before he or she can withdraw leave. The maximum amount of shared leave an employee may receive is four hundred eighty (480) hours.

E. Process

Employees (or a designated representative) may request leave from the pool by submitting a Shared Leave Request Form to their respective department supervisor. A doctor's statement describing the illness or injury must accompany the request and must include the diagnosis of the illness or injury, and a prognosis. A medical certification stating why the employee's absence is required for the personal attention and care of an immediate family member must also accompany the request.

Department Responsibilities

- 1) Securing adequate medical documentation from the employee, which justifies whether the illness is life threatening, catastrophic, or resulting in a permanent disability.
- 2) Work with Human Resources to ensure that the employee has exhausted all accrued leave time, and (if applicable) workers' compensation indemnity payments.
- 3) Forwarding each Shared Leave request form and supporting documentation to Human Resources. After review for eligibility, Human Resources will send to the Share Leave Committee.
- 4) Notifying the employee of approval or disapproval to receive shared Leave. Notifying the Payroll/HR Department immediately upon becoming aware when a leave recipient's medical emergency terminates.

## Shared Leave Committee Responsibilities

- 1) Reviewing Shared Leave request on an as needed basis and ensuring employees meet the eligibility requirements for receiving benefits.
- 2) Reviewing and recommending approval or disapproval of requests based on eligibility requirements for receiving benefits, to the City Administrator.
- 3) Monitoring the Shared Leave pool balances and determining the amount of leave eligible employees will receive.
- 4) Recommending policy changes to the City Administrator.
- 5) Keeping the City Administrator informed of Shared Leave activities.

## City Administrator Responsibilities

- 1) Reviewing Shared Leave requests.
- 2) Approving or disapproving recommendation based on submitted application and such other data relevant to the request.
- 3) Forwarding Shared Leave approval and documentation to Human Resources.
- 4) Advising Shared Leave Committee and Department Head of rejected request.

## Human Resources Representative Responsibilities

- 1) Maintaining records, along with Human Resources.
- 2) Verifying the employee has exhausted all allowable leave time and (if applicable) worker's compensation indemnity payments.
- 3) Keeping records of pool balances and providing this and other pertinent data to the Shared Leave Committee.

## Awarding of Shared Leave Benefits

In those cases where the employee is eligible to receive benefits, the payment of benefits will be handled as follows:

The amount of Shared Leave the employee is eligible to receive will be based on the doctor's statement, which contains the medical diagnosis and prognosis. The maximum amount of Shared Leave an employee may receive four hundred eighty (480) hours per qualifying illness or injury. The amount of Shared Leave an employee is eligible to receive for care of an immediate family is not to exceed four hundred eighty (480) hours per qualifying family illness or injury. Additional medical documentation must be submitted to the Shared Leave Committee for review each month for continued eligibility.

The amount to be granted, however, will be determined on a month-by-month basis and is dependent upon the pool balances and number of eligible recipients. Each recipient will receive a proportionate share of Shared Leave each month, provided it does not exceed the amount they are eligible to receive.

If the pool balance cannot accommodate the amount the employee is eligible to receive, a pool drive will be initiated. The employee will continue to receive additional leave each succeeding month (to the extent of the then existing pool balance) until they reach the amount they are eligible for, (providing they are still experiencing the qualifying illness or injury).

The Shared Leave Committee has the right to require an updated medical statement/records from the employee on an as needed basis. However, additional medical documentation must be submitted to Human Resources for review each month for the continued eligibility of Shared Leave.

Any amount of Shared Leave granted for the month but not needed will be returned to the respective pool.

Employees may accrue vacation and sick leave credits while using donated leave, but must exhaust those accrued hours before using additional donated leave.

An employee who uses Shared Leave from the pool is not required to pay back any Shared Leave received.

F. Shared Leave Committee Membership and Terms

The City Administrator shall accept applications and appoint four (4) fulltime, City of Smithville employees as the "Shared Leave Committee". At least one member must be a representative of Human Resources. Members shall serve two (2) year terms. Terms shall be calendar years expiring on December 31st. Two (2) members' terms shall expire each year.

*Section 11-6 Evaluation for and/or Absence from Work Sick Days Related to COVID-19*

Effective Dates: 10-22-21 until otherwise terminated by the Board of Aldermen

*Employees should Remember, there are resources available to the Employee through the City Human Resources (HR) department.*

A. Risk Analysis for COVID-19 Absences from Work or Eligibility to Report to Work

Employees need to immediately contact their supervisor if they experience any of the following:

- The employee or someone in their household is experiencing COVID-19 symptoms.
- They or someone in their household has undergone symptomatic testing for COVID-19.
- The employee thinks they have been exposed to someone with COVID-19.
- They have been in close contact with someone who has undergone symptomatic tested or has tested positive.
- They see indications that lead them to reasonably believe a coworker is showing symptoms of COVID-19.

Employee's failure to contact her/his supervisor is considered a violation of this policy. Any violation may lead to disciplinary action up to and including termination.

Employees must also report to their supervisor immediately if they believe that they have been exposed to a member of the public with COVID-19 while carrying out required and unavoidable job duties. This will be documented at the time of occurrence with employee's supervisor and the Assistant City Administrator.

Supervisors are responsible for contacting the Assistant City Administrator for a risk analysis. Supervisors can call the Assistant City Administrator or the City Administrator to evaluate the circumstances based on the most recent guidance available.

Employees may be requested to take (if there is a charge - at the City's expense) a city reasonably approved COVID-19 test. Employees will be given time from work for any such testing. The employee will be responsible for providing documentation of the results of the test to the City Administrator and the Assistant City Administrator.

*To assist Clay County Public Health with timely and efficient contact tracing efforts, The City will provide said Health Department with limited contact information should the employee be identified as a close and direct contact of a positive COVID-19 case and/or tests positive. If the employee chooses to opt out of this notification process, the employee must notify the City Administrator. Opting out of this does not allow the employee to opt out of mandated quarantine nor does it allow the employee to opt out in the instance that the City of Smithville requires the employee to stay home to minimize the potential spread of COVID-19.*

#### B. Types of Absence from Work Related to COVID-19

Qualifying absences are when an employee:

1. Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19 (stay at home order is not considered quarantine).
2. Has been advised by a health care provider to self-quarantine related to COVID-19.
3. Is experiencing COVID-19 symptoms and is seeking a medical diagnosis – This may qualify as FMLA leave.
4. Is caring for an individual who is subject to an order described in (1) or is in self-quarantine as described in (2 above).
5. Is caring for a child whose school or place of care is closed (or childcare provider is unavailable) for reasons related to COVID-19.
6. Is experiencing symptoms and/or side effects within 72 hours after receiving a vaccine, or is experiencing any other substantially similar condition like a potential COVID-19 exposure
  - If an employee needs to be absent from work to receive the COVID-19 vaccine, employees may request reasonable paid time away from work to procure the vaccine (see Section D). It is requested that an employee schedule their vaccine either at the beginning of shift or end of shift to help with staffing.
  - If an employee experiences side effects from the vaccine and needs to miss work, the employee should contact the City Administrator and will be paid for reasonable time off after the City Administrator and the Assistant City Administrator have completed

their risk assessment (see Section IV). If an employee calls in sick, supervisors will still need to contact the City Administrator or the Assistant City Administrator.

7. For full-time and part-time regular employees only: Are unable to work due to the City closing their work area and they are unable to work remotely or unable to gain a temporary assignment from their department or via risk management.

The Department of Labor encourages employers and employees to collaborate to achieve flexibility and meet mutual needs. Please consider this when requesting a leave of absence.

To continue to operate, there are essential positions that must be filled. Due to the nature of City work, some employees may be required to report to work even if they request to be absent. Supervisors will communicate with affected employees on a case-by-case basis as needed.

#### C. Call in Procedures for Absence from Work

For every absence from work:

- Employees should continue to use their regular division/department/City rules for calling in any absence from work.
- Supervisors should call the City Administrator and the Assistant City Administrator for assessment of any COVID-19 related issues.

#### D. Pay Options During Absence from Work

(COVID-19) Sick Pay – For Qualified Employees Only  
(COVID-19) Sick Pay for Qualified Employees.

As used herein the Term “Qualified Employees” shall mean, (1) those Employees who have been vaccinated; or (2) those Employees who have begun the COVID-19 vaccination process by receiving at least one vaccine dose; or (3) those Employees who have previously been granted a Reasonable Accommodation (under 11-6, Section V below).

Effective 10-22-21 until terminated by the Board of Aldermen. HR maintains a file of submitted vaccination cards. All cards shall be submitted to the City Administrator or the Assistant City Administrator.

Effective 10-22-21, until otherwise terminated by the Board of Aldermen. the City will grant COVID-19 Sick leave for COVID-19 related issues to Qualified Employees as follows:

- Full-time and part-time Qualified Employees. The reason must fall into one of the reasons listed in 11-6 Section II above.
- All Full-time and part-time regular employees for whom City Administrator or the Assistant City Administrator authorizes sick COVID-19 Sick Pay due to a specific set of circumstances when quarantine or isolation occurs due to unavoidable documentable contact with the public in the performance of required job duties.

- Beginning 10-22-21 until further order of the Board of Aldermen, all use of the COVID-19 Sick Pay going forward will require the approval of City Administrator or the Assistant City Administrator. Employees must request such COVID-19 sick pay and provide any reasonably requested documentation to support the reason and submit a written request and supporting documentation to the City Administrator or the Assistant City Administrator.
- If verified by the City Administrator or the Assistant City Administrator that the employee is a Qualified Employee, said employee may apply for COVID-19 sick pay for up to a maximum total of fourteen (14) business days as reasonably necessary for absences necessitated under Section II above or approved by the City Administrator or the Assistant City Administrator. This COVID-19 sick pay is in addition to such full-time Employee's personal accumulated sick leave. If the reason for the absence under Section B is greater than fourteen (14) business days, the full-time Qualified Employee may apply for and request shared leave pursuant to the terms and conditions of 11-5 of the Employee Handbook. Nothing herein shall be deemed to entitle such employee to any shared leave.
- Nothing herein should be construed as granting part-time employees any sick leave other than as herein set forth. Part-Time Qualifying Employees will be paid up to the maximum of fourteen (14) Business Days the average wages said employee would have otherwise reasonably earned but for absences necessitated under Section II above or approved by the City Administrator or the Assistant City Administrator. Part-Time Qualifying Employees shall remain ineligible to apply for or receive any shared leave under 11-5 of the Employee Handbook for any absence necessitated under Section II above as well as any other sick leave from the City.

#### E. Reasonable Accommodations

If an employee has an ADA qualifying disability or a sincerely held religious belief that prevents the employee from participating in the COVID-19 Vaccination program, the employee should request an accommodation, using the following process:

1. Make a request to the employee's Supervisor who will then contact Human Resources and the City Administrator for evaluation.
2. Employee will provide any documentation reasonably requested by the City concerning the requested accommodation.
3. Human Resources or the City Administrator will contact the employee and the Supervisor with the results of the evaluation.
4. Paperwork and documentation may be required for COVID-19 related accommodations.

F. COVID-19 sick pay is not available, and the employee will be required to use personal paid time off if:

- The employee is NOT VACCINATED; and/or,
- The employee has not begun the vaccination procedure by receiving at least one dose of vaccine; and/or,
- The employee has not received a Reasonable accommodation pursuant to Section V; and/or,
- School (or childcare provider) is open, and a choice is made by the parent/guardian to keep the child home; and/or

- School (or childcare provider) is closed for reasons other than COVID-19 related matters; and/or
- The absence does not fall into any of the categories from Section II above and the employee chooses to stay home if work is available.

If the employee is not eligible for COVID-19 sick pay as set out in 11-6 Section D above, the employee will have to use their own benefit time. Paid time off policies can be found under the balance of the Employee Handbook. Additionally, Section 11-5 of the Employee Handbook notwithstanding, an employee who is not a "Qualified Employee" as defined above shall be ineligible to apply for or receive any Shared Leave (pursuant to Section 11-5 of the Employee Handbook) for any absence which would otherwise have entitled said employee to be eligible to receive COVID-19 Sick pay under 11-6 Section D.

*The City will continue to monitor the situation. This policy is subject to change on short notice.*

## **ARTICLE 12 SPECIAL LEAVE**

### *Section 12-1 Approval Authority*

Department heads may approve requests for special leave as defined hereinafter in accordance with procedures established by the City Administrator.

### *Section 12-2 Court Leave*

Full-time employees subpoenaed as a witness in a civil or criminal case or selected to serve on a jury shall be granted paid leave during their absence, provided, however, that all payments provided by a court for jury service shall be turned over to the employee's department head and transmitted to the City Treasurer for deposit as miscellaneous revenue. Essential personnel such as law enforcement employees and department heads may be required to request to be excused from jury duty by the court. Introductory employees are not eligible to receive paid court leave.

### *Section 12-3 Military Leave*

This policy is intended to comply with the Uniformed Services Employment and Reemployment Rights Acts, Title 38 U.S.C., Sections 4301-4333, currently in effect and as amended and to the extent any provision hereof is inconsistent with such statute, this policy is deemed to be amended to comply with said law.

#### **A. Eligibility**

Employees who have been in City service for at least one (1) year immediately preceding leaving the service of the City directly to enter the active uniform service of the United States during a national emergency, drafted into such service, or employees subject to compulsory service who voluntarily enlist, shall be granted a military leave of absence without pay to extend to three (3) months beyond the date of termination of active uniform service. The term "uniform service" as used herein shall include the Army, Navy, Air Force, Marine Corps, Coast Guard, and Public Health Service, as well as all auxiliary branches of said services in which either men or women shall be called on to serve, but shall not include services as civilian

employees of any of the services. The term "national emergency" as used herein shall exist during such period as determined by the federal government.

An employee meeting the eligibility requirements shall have the employee's base military pay supplemented by the City to an amount not to exceed the employee's regular City pay for a period of up to six (6) months while in emergency active duty. The remainder of military leave shall be without pay.

#### B. Disposition of Vacation and Sick Leave

An employee who leaves the City service directly for such military leave may elect to be paid for any accrued vacation as the employee may be entitled to if separating from the City service. The decision shall be noted on the personnel action form effecting the leave. If the employee elects not to be paid for vacation leave, accrued vacation credits shall be reinstated upon return of the employee. Accrued sick leave shall be reinstated upon return of the employee in either case.

#### C. Restoration

An employee returning from military leave shall be entitled to restoration to the former position held prior to the leave provided the employee makes application within three (3) months after release from duty and has been honorably discharged and is physically and mentally capable of performing the essential duties of the position involved. If the position vacated no longer exists at the time the employee qualifies for return to work, such person shall be entitled to be reemployed in another existing position of the same class.

#### D. Salary

An employee returning from military leave may be re-employed at the same salary range attained when granted a military leave. The employee may be eligible for a merit increase upon completion of one (1) year of service which shall include time between the last merit increase and the date military leave was granted.

### *Section 12-4 Military Training Leave of Absence*

All employees who are or may become active members of the National Guard, the Officers' Reserve Corps, or the Enlisted Reserve Corps of the United States Government shall be entitled to leave of absence with pay from their respective duties on all days during which they are employed with or without pay under the orders or authorization of competent authority on active training duty, duty with troops, field exercises, or instruction for a period not to exceed a total of fifteen (15) calendar days on the basis of an 8-hour workday in any one (1) federal fiscal year (Oct. 1 - Sept. 30). Employees exceeding the limit of one and a half times their normal bi-weekly scheduled hours in any one (1) federal fiscal year (Oct. 1 - Sept. 30) may elect to use accrued vacation leave or take unpaid leave. At the time the employee's accrued vacation leave becomes exhausted, employees may substitute accrued sick leave in place of accrued vacation time. Employees requesting this leave of absence, with or without pay, shall provide documentation of



the orders or authorization of competent authority for the time period for which military leave will be taken.

All employees who are or may become active members of the National Guard, the Officers' Reserve Corps, or the Enlisted Reserve Corps of the United States Government who are required to attend monthly training sessions which conflict with their normal work schedules shall give advance notification to their supervisors in accordance with departmental rules and regulations.

#### *Section 12-5 Maternity Leave*

Maternity shall be treated as any other non-duty temporary disability covered under the rules pertaining to sick leave and family and medical leave. If at any time during pregnancy an employee is aware that her and/or her unborn child's health is endangered by her job, she shall immediately make this fact known in writing to her department head. At such times as deemed necessary by the department head, pregnant employees shall submit to their department head a doctor's statement indicating the employee's physical ability to perform her job. Employees returning to work after childbirth shall submit to their department head a doctor's statement indicating the employee's physical ability to return to the job. The duration of maternity leave shall be determined by reference to the family and medical leave provisions of this article.

#### *Section 12-6 Family and Medical Leave*

It is the policy of the City to provide Family and Medical Leave (FML) in accordance with the federal Family and Medical Leave Act of 1993 (FMLA) and subsequent amendments. This policy outlines the information provided in "Employee Rights and Responsibilities Under the Family and Medical Leave Act", a compliance poster issued by the Wage and Hour Division of the U.S. Department of Labor (Revised January 2009).

Employees who have worked at least 1,250 hours in the twelve (12) months prior to a family or medical leave request shall be granted up to twelve (12) weeks of unpaid leave during any twelve (12) month period for the following reasons:

1. for incapacity due to pregnancy, prenatal medical care or child birth;
2. to care for the employee's child after birth, or placement for adoption or foster care;
3. to care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
4. for a serious health condition that makes the employee unable to perform the employee's job.

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health

care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Employees on approved family or medical leave are allowed: 1) to continue group health and other insurance, if any, during the leave on the same conditions as would have been provided if the employee had been continuously employed; and 2) to return to the prior job or an equivalent one in terms of salary, accrued benefits and other job conditions. The employee is required to continue to pay his/her contribution to dependent or family coverage or other elective benefit costs. If on paid leave, premiums will be deducted from pay as usual. If some or all of the leave will be without pay, information on how and when to make premium payments will be provided to the employee.

Employees must attempt to schedule family and medical leave so as not to disrupt City operations. If leave is for the birth or placement of a child or for planned medical treatment the employee must give notice at least thirty (30) days in advance, or as soon as practical.

If leave is requested for a serious health condition, the employee must provide a certification from a health-care provider stating the medical facts regarding the condition, including its date of onset and probable duration.

If leave is requested to care for family members, a certification may be required to state that the employee is unable to perform the functions of the job, that the leave will assist in a family member's recovery, or that there is a medical need for a reduced schedule.

Employees are required to substitute accrued vacation and/or sick (run concurrently) leave for any part of the twelve (12) week period to which they are entitled under the family and medical leave provisions. Vacation and sick leave benefits will accrue during an FMLA leave while the employee is on paid status. Vacation and sick leave benefits will not accrue during an FMLA leave while the employee is on un-paid status.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the City's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees returning from medical leave shall provide a certification from a health-care provider that they are able to resume work.

An employee who fails to return from family or medical leave shall repay the premiums which the City paid for the employee to keep group insurance in effect during the leave.

#### *Section 12-7 Occupational Injury Leave*

Any employee who sustains an on-the-job injury shall immediately report such injury, regardless of severity, to the immediate supervisor. The employee and the immediate supervisor shall prepare required reports of such injuries and submit same to the department head and personnel & safety officer within twenty-four (24) hours of the accident or the next business day after notification by the injured employee.

Employees injured on the job are covered by the Missouri State Workers' Compensation Act. This law provides specific benefits including payment of approved medical expenses and partial payment for loss of wages. Payment for lost time commences after three regularly scheduled full days off from work. The first three (3) full work days off are covered by the City, but if the employee is unable to return due to injury for more than fourteen (14) calendar days, whether consecutive or nonconsecutive, after the date of injury, the City Workers' Compensation program then covers partial loss of wages for the first three (3) days. No adjustments to any leave balances nor recoupment of this money will be undertaken by the City.

Supervisors shall be responsible for the investigation of accidents or injuries involving employees assigned to their work units. Every effort shall be made to determine the causes of accidents or injuries and preventive measures taken as appropriate.

#### *Section 12-8 Absence Without Leave*

Any unauthorized absence of an employee from duty shall be deemed to be an absence without pay and may be grounds for disciplinary action by the City. In addition, any employee who is absent for three (3) or more days without authorized leave shall be deemed to have resigned. Such absence may be covered, however, by the City subsequently granting leave with or without pay where extenuating circumstances are found to have existed.

#### *Section 12-9 Bereavement Leave*

All full-time exempt and non-exempt employees (excludes temporary and part-time employees) are eligible for bereavement leave of up to 24 hours in the event of the death of an immediate family member. Bereavement leave with pay is allowed for family care and bereavement, which includes making arrangements required by the death of a member of the employee's immediate

family and attending the funeral of a member of the employee's immediate family. Immediate family is defined as below:

1. Spouse (including domestic partner)
2. Parents (including step-, in-laws and parents of domestic partner)
3. Siblings (including half- and step-)
4. Children (including step- and foster)
5. In-Laws (to include daughter/son and brother/sister)
6. Grandparents (including step-)
7. Grandchildren (including step-)

#### *Section 12-10 Education Leave*

Full-time employees may be granted absence from duty on a non-pay status for education instruction when recommended by a department head and approved by the City Administrator if the successful completion of such instruction will contribute to the City service.

#### *Section 12-11 Special Assignment Leave*

Full-time employees may be granted absence from duty on a non-pay status for special assignment with another agency or government with return to the City completed in a definite amount of time when recommended by a department head and approved by the City Administrator.

#### *Section 12-12 Paid Administrative Leave*

Employees under an employer-initiated investigation may be placed on paid administrative leave through the completion of the investigation. All employer-initiated investigations will be handled by Human Resources in conjunction with the City attorney and any other necessary entities.

Paid administrative leave may be used in extraordinary circumstances upon approval of the City Administrator and Mayor.

## **ARTICLE 13 OTHER FRINGE BENEFITS**

### *Section 13-1 Life Insurance Coverage*

Full-time employees will be enrolled, without cost, in the basic group life insurance coverage program, if any, approved by the Board of Aldermen. The basic life insurance coverage is as approved by the Board of Aldermen. Current tax laws make any benefits above a certain amount taxable income to the employee. Optional life insurance at lower set coverages may be available for dependents.

### *Section 13-2 Health Insurance Coverage*

Full-time employees will be offered, at a cost, a health insurance coverage program, if any, approved by the Board of Aldermen. The health insurance coverage is as approved by the Board of Aldermen. Enrollment in the employer sponsored health insurance program is optional and no additional benefit is due to the employee for waiver of coverage.

Health insurance coverage for dependents of full-time employees is available to any employee enrolled in the employer sponsored health insurance program, at an additional cost to the employee.

New hires have thirty (30) days from their date of employment to elect health insurance coverage. Coverage is effective the first day of the month following date of hire.

Changes to elected coverage are only allowed for a Health Insurance Portability and Accountability Act (HIPAA) event or during open enrollment, which is offered once per calendar year.

In the event of separation of employment, coverage terminates the last day of the month in which separation occurs.

As authorized by law or the group plan, full-time employees who retire due to age or disability may decide to continue their coverage under the City's health insurance program at their own expense by providing thirty (30) days' notice to the group plan administrator.

### *Section 13-3 Vision Insurance Coverage*

Full-time employees will be offered, at a cost, a vision insurance coverage program, if any, approved by the Board of Aldermen. The vision insurance coverage is as approved by the Board of Aldermen. Enrollment in the employer sponsored vision insurance program is optional and no additional benefit is due to the employee for waiver of coverage.

Vision insurance coverage for dependents of full-time employees is available to any employee enrolled in the employer sponsored vision insurance program, at an additional cost to the employee.

New hires have thirty (30) days from their date of employment to elect vision insurance coverage. Coverage is effective the first day of the month following date of hire.

Changes to elected coverage are only allowed for a Health Insurance Portability and Accountability Act (HIPAA) event or during open enrollment, which is offered once per calendar year.

In the event of separation of employment, coverage terminates the last day of the month in which separation occurs.

As authorized by law or the group plan, full-time employees who retire due to age or disability may decide to continue their coverage under the City's vision insurance program at their own expense by providing thirty (30) days' notice to the group plan administrator.

#### *Section 13-4 Dental Insurance Coverage*

Full-time employees will be offered, at a cost, a dental insurance coverage program, if any, approved by the Board of Aldermen. The dental insurance coverage is as approved by the Board of Aldermen. Enrollment in the employer sponsored dental insurance program is optional and no additional benefit is due to the employee for waiver of coverage.

Dental insurance coverage for dependents of full-time employees is available to any employee enrolled in the employer sponsored dental insurance program, at an additional cost to the employee.

New hires have thirty (30) days from their date of employment to elect dental insurance coverage. Coverage is effective the first day of the month following date of hire.

Changes to elected coverage are only allowed for a Health Insurance Portability and Accountability Act (HIPAA) event or during open enrollment, which is offered once per calendar year.

In the event of separation of employment, coverage terminates the last day of the month in which separation occurs.

As authorized by law or the group plan, full-time employees who retire due to age or disability may decide to continue their coverage under the City's dental insurance program at their own expense by providing thirty (30) days' notice to the group plan administrator.

#### *Section 13-5 Voluntary Insurance Coverage*

Voluntary insurance programs for all employees may be offered, at a cost, if any, approved by the Board of Aldermen. The voluntary insurance coverage is as approved by the Board of Aldermen. Voluntary insurance programs include, but are not limited to, accident policies, cancer policies, dependent care coverage, flexible spending accounts, additional life insurance and short-term disability. Enrollment in the voluntary insurance program is optional and no additional benefit is due to the employee for waiver of coverage.

### *Section 13-6 Retirement Plans*

Full-time employees working the required minimum number of hours or more per year will be enrolled as participating members of the appropriate local government retirement plan (LAGERS) and contributions to the plan will begin after six (6) months of employment. Contribution levels are based on a percentage of the employee's salary as appropriated by the Board of Aldermen. The plan is subject to the rules of the appropriate local government retirement plan. For any full-time employee that has fulfilled their six (6) month waiting period with a previous LAGERS employer and has not forfeited that service through a refund or lump sum, contributions will begin immediately upon hire.

### *Section 13-7 Long-Term Disability Insurance*

As provided under LAGERS retirement plan, full-time employees may be eligible for Long Term Disability Insurance.

### *Section 13-8 Employee Assistance Program*

Full-time Employees are eligible to utilize services provided by the Employee Assistance Program (EAP) as part of the group health plan as approved by the Board of Aldermen. The services are outlined in the EAP brochure available in Human Resources.

## **ARTICLE 14 SEPARATION AND DISCIPLINARY ACTIONS**

### *Section 14-1 Resignations*

Any employee who is in good standing may resign from the service of the City by presenting their resignation in writing as contained herein. Employees holding positions which are covered by the Fair Labor Standards Act (FLSA) must present such notice of resignation not less than two (2) weeks prior to their effective date. Employees holding positions which are exempt, other than department heads and the City Officials as set forth in Chapter 105 of the Smithville Code, from coverage under the Fair Labor Standards Act must present notice of resignation no less than four (4) weeks prior to their effective date. Such resignation may be withdrawn by the employee at any time prior to the effective date with the approval of the City Administrator and department head, or if the resignation is that of a department head or a City Official as set forth in Chapter 105 of the Smithville Code, then with the approval of the Board of Aldermen. Department heads and the City Officials as set forth in Chapter 105 of the Smithville Code must present notice of resignation no less than four (4) weeks prior to the effective date.

Any employee who fails to provide notice as set out in the paragraph above shall be deemed to have relinquished all accrued vacation time and compensatory time and shall no longer be eligible for any benefits related to payment for hours not worked including holiday pay.

### *Section 14-2 Termination*

An employee may be terminated at will with or without cause.

Upon leaving the City service, each employee will be invited to attend an exit interview with his supervisor to receive feedback about employment in the City service.

### *Section 14-3 Reduction in Force; Layoffs*

A department head may separate any employee without prejudice because of lack of funds or curtailment of work, after giving proper notice. However, no full-time employee shall be separated from any department while there are introductory, part-time, or temporary employees serving in the same department. An appointing authority may, with the approval of the City Administrator, appoint an employee who is to be laid off to any existing vacancy in a lower class for which the employee is qualified. All other factors being equal, employees shall be laid off in reverse order of their total service with the City. The City will provide two (2) weeks' notice or equivalent compensation to persons being laid off and holding positions which are non-exempt under FLSA. For persons laid off and holding FLSA exempt positions, excluding department heads, the City will provide four (4) weeks' notice or equivalent compensation.

### *Section 14-4 Return of City Property*

All employees separating from the City service for any reason shall, prior to separation, return all City-owned property and equipment issued to the employee. Failure to do so will result in the withholding of benefits otherwise due the employee.



### *Section 14-5 Discipline*

Nothing in this policy or in this Employee Handbook (including a description of various types of discipline which may be administered) is intended to limit, in any way, the City's right to terminate an employee at-will at any time, with or without cause, and with or without advance notice. The fact that different levels of discipline are mentioned in this Employee Handbook shall not be construed as the City's adoption of a policy of "progressive discipline" before termination may occur.

It shall be the duty of all employees to maintain high standards of conduct, cooperation, efficiency, and economy in their work for the City. Department heads and supervisors shall organize and direct the work of their units in a manner calculated to achieve these objectives.

Whenever conduct of an employee falls below a desirable standard, supervisors should point out the deficiencies at the time they are observed. Corrections and suggestions should be made in a constructive and helpful manner in an effort to elicit the cooperation and good will of the employee.

Any action which reflects discredit upon the City service or is a direct hindrance to the effective performance of the City government functions shall be considered cause for disciplinary action against any employee of the City.

A serious offense or repeated disciplinary problems may require immediate termination of employment. While employment may be terminated at any time without cause, serious misconduct of the following nature may result in immediate termination of employment for the first offense. Some circumstances constituting cause for disciplinary action are listed below, although charges may be based upon cause and complaints other than those listed.

1. Any off-duty conduct which impairs the employee's ability to do the job in a satisfactory manner.
2. Adjudication or plea of guilty to any felony, or a misdemeanor involving a crime against persons, property or involving moral turpitude.
3. Two (2) or more convictions or pleas of guilt during a three (3) year period of misdemeanors, State/Municipal alcohol related offenses, and/or State/Municipal traffic charges (if the employee operates vehicles or equipment).
4. Intoxication or the consumption of intoxicating beverages or illegal drugs while on duty or while on City property, or violation of the City substance policy.
5. Abusive or improper treatment to a person in custody.
6. Offensive conduct or language toward the public or toward City officers or employees.
7. Falsification of employment application or other City records, or the altering or falsifying of time cards, work records, or job records.
8. Incompetence or inability to perform the duties required.
9. Intentional damage or negligence in the care and handling of City property.
10. Violation of any official regulation or direction made or given by his superior, where such violation or failure to obey amounted to an act of insubordination or a serious breach of proper discipline, or resulted, or might reasonably have been expected to result, in loss or injury to the City or to the public.

11. Acts or omissions of acts unbecoming an incumbent of the particular office or position held which render a reprimand, suspension, demotion, or discharge necessary or desirable for the economical or efficient conduct of the business of the City or for the best interest of the City government.
12. Violation of any of the provisions of the ordinances or any administrative regulation of the City.
13. Inducing or attempting to induce any officer or employee in the City service to commit an illegal act, to act in violation of any lawful order and reasonable departmental or official regulation or order, or to participate therein.
14. Solicitation or receipt in whole or in part from any person of any fee, gift, or other valuable thing that is given in the hope or expectation of receiving a favor or better treatment, influence, or bribery to secure advantage in any City activity or circumstances.
15. Use or attempted use of political influence to obtain special treatment for an examination, promotion, or wage increase.
16. Failure to pay just debts due or owing, including taxes, licenses, or fines due the City, or failure to make reasonable provision for the future payment of such debts, thereby causing annoyance to the City, superiors, embarrassment to the City, to supervisors, or embarrassment to the service.
17. Absence from duty, without leave, contrary to these rules, or failure to report after leave of absence has expired or after such leave of absence has been disapproved or revoked and canceled by the proper authority.
18. Unauthorized use of City vehicles, tools, equipment, manpower, or materials for personal benefit. Any authorized use must be clearly approved by the appropriate supervisor.
19. Excessive use of City telephones for the conduct of personal business during working hours or for unauthorized long-distance calls.
20. Tardiness and/or abuse or excessive use of sick leave privileges.
21. Failure to properly report accidents or personal injuries.
22. Failure to maintain a satisfactory attendance record.
23. Failure to report wrongdoings of other City employees.
24. Failure to maintain any license or certification if possession of such a license or certification is a condition of employment.
25. Intentional failure or refusal to carry out lawful instructions.
26. Misappropriation, destruction, theft or conversion of City property.
27. Refusal or neglect to pay just debts. Maintenance of effort to pay debts must be shown to clear employee of neglect charges.
28. Employee subsequently becomes physically or mentally unfit for the performance of his duties.
29. Acts of misconduct while on duty.
30. Neglect or carelessness resulting in damage to City property or equipment.
31. Violation of Federal or State Statute or City ordinance.
32. Soliciting and/or the acceptance of gifts or the attempted use of a City Position for personal gain.
33. Other conduct which is detrimental or prejudicial to the best interest of City Government.
34. Any other violations of these rules and regulations deemed sufficient to warrant discipline by appropriate supervisors.

### *Section 14-6 Disciplinary Actions Defined*

Any of the following disciplinary actions may be imposed by the City depending upon the City's judgment of the necessary action to address employee conduct in violation of appropriate standards. The City, at its discretion, may determine that disciplinary action less than dismissal may be appropriate in some circumstances.

#### A. Oral reprimand

An employee may receive an oral reprimand for the first minor disciplinary offense. This action is normally taken by the employee's supervisor with notation to the employee's personnel file.

#### B. Written reprimand

A written reprimand may be transmitted through the appropriate department head to the employee and shall state the specific actions leading to the reprimand. This action is normally taken by the employee's supervisor.

#### C. Suspension

Suspension is the temporary removal from duty status without pay of an employee for a specified or indefinite period. Suspension shall be approved by the department head and City Administrator prior to completion of the action.

1. An employee may be suspended for an indefinite period when the department head determines such action is necessary and in the best interest of the City and in cases where an employee is charged and awaiting trial for a criminal offense involving matters apparently prejudicial to the reputation of the City.
2. When an employee has acted or is alleged to have acted in a manner which would be cause for dismissal, the employee may be suspended while such charges are investigated.
3. Whenever an employee is suspended pending trial or investigative outcomes and is subsequently exonerated, the employee shall be reinstated without loss of pay or benefits.
4. An employee may be suspended for a definite period of time for a specific cause.

#### D. Demotion

An employee may be moved to a position in a class with a lower maximum salary rate for misconduct. Demotions shall be approved by the department head and City Administrator prior to completion of the action.

#### E. Dismissal

Discharge of a full-time employee should be recommended in cases involving recurring disciplinary offenses or a single offense involving a serious breach of discipline. Dismissal shall be approved by the department head and City Administrator prior to completion of the action.

#### F. Referral

At any step of the disciplinary process the employee's supervisor may refer the employee to the Employee Assistance Program (EAP).

#### G. Personnel File

Documentation of all disciplinary actions will be placed in the employee's personnel file.

#### *Section 14-7 References*

The City does not provide former employees with references regarding work performed for the City.

#### *Section 14-8 Authority of Board of Aldermen and Mayor*

No language in this Personnel Handbook granting authority to the City Administrator or any other person shall in any way be interpreted as intending to remove from the Mayor or the Board of Aldermen their hiring and/or removal authority under R.S.Mo. § 79.240, under other provisions of the Smithville Code or otherwise.

## **ARTICLE 15 APPEALS AND GRIEVANCES**

### *Section 15-1 Grievance Policy*

It shall be the policy of the City to give individual employees an opportunity to discuss their grievances with their supervisors in order to find mutually satisfactory solutions as rapidly as possible. In the preparation of grievances at any supervisory level, employees are assured of freedom from restraint, interference, discrimination, or reprisal. If an employee has access to more than one (1) complaint process, the employee must choose which process to pursue at the beginning of the grievance and may only utilize one (1) process.

#### **A. Representation**

An employee may be accompanied by another employee of the employee's choosing in the presentation of a grievance.

#### **B. Grievance Procedure**

1. Oral report: An employee who has a grievance shall first present the grievance to the immediate supervisor within three (3) working days of the action or incident in question. If the grievance is against the immediate supervisor, the employee may report it to the next level of supervision as outlined in number 3 below, within five (5) working days of the incident.
2. Written report: If the oral grievance presentation fails to settle the grievance the employee may within six (6) working days submit a written grievance report of the action or incident in question to the immediate supervisor. Within three (3) working days after receiving such grievance, the immediate supervisor shall furnish the employee with a written reply to the grievance.
3. Appeal to Department Head: If the written reply to the grievance is not satisfactory, the employee may, within five (5) working days after receiving the reply, submit an appeal in writing to the department head. The department head shall confer with the aggrieved employee before rendering a decision. Such decision shall be reduced to writing and shall be delivered to the aggrieved employee within five (5) working days of the date on which the appeal was received by the department head.
4. Appeal to City Administrator: If the appeal to the department head fails to resolve the grievance, the employee may, within five (5) working days of receipt of the decision on the grievance, submit an appeal in writing to the City Administrator. Within fifteen (15) working days of the receipt of such an appeal, the City Administrator or a designee shall meet with the employee to discuss matters pertinent to the grievance. The decision of the City Administrator, under supervision of the Mayor, shall be final and no further right of appeal shall be provided to employees. The City Administrator shall forward one (1) copy of the course of action to be followed to the employee concerned and to the department head within fifteen (15) days after the meeting with the employee.

### C. Classification Grievances

All grievances pertaining to the classification of an employee shall be made in writing to the City Administrator through the department head. The decision of the City Administrator, under supervision of the Mayor, shall be final in all matters of classification, and the employee shall not have further right of appeal.

### D. Compensation Grievances

The pay range established for a given class of work shall not be subject of the grievance procedure.

#### *Section 15-2 Appeal Policy*

Appeals of terminations or other disciplinary actions for cause may only be taken by department heads and the City Officials as set forth in Chapter 105 of the Smithville Code (in this subsection "Appellant"), and shall be in the form of a written appeal report and shall be made to the Board of Aldermen within five (5) working days of the effective date of the termination or other disciplinary actions. At the next regularly scheduled meeting of the Board of Aldermen following the receipt of the appeal, the Board of Aldermen shall decide whether to grant a hearing before the Board of Aldermen and if so, shall thereafter proceed with the appeal hearing before the Board of Aldermen, or Board of Aldermen may summarily affirm the termination. The decision on its consideration of the appeal and hearing shall be closed to the public. Notwithstanding the above, the Board may choose to decide on its consideration of the appeal and the actual appeal at a later date. If so, the Appellant shall be given notice of the hearing. The Board shall rule on the appeal based on the report of the City Administrator, as well as evidence and testimony presented at the hearing. The decision by the Board of Alderpersons shall be final.

#### *Section 15-3 Conduct of Investigation*

In connection with the review of a grievance, appeal, or for any other purpose necessary to determine the adherence to any provision of these rules, the City may conduct such investigation, including but not limited to involving the production of records or reports by a City department.

## **ARTICLE 16 RECORDS AND REPORTS**

### *Section 16-1 Personnel Records*

Human Resources shall be the central repository for all personnel files and records.

### *Section 16-2 Reports*

Every appointment, transfer, promotion, demotion, dismissal, sick leave, vacation leave and other temporary or permanent changes in the status of employees in the City service shall be reported in writing. The City Administrator shall prescribe the time, manner, form, and method of making any written report as may be stipulated in any of these rules.

### *Section 16-3 Public Records*

Employment records of an employee are not public records, except to the extent required by Missouri Open Records Law.

## **ARTICLE 17 TRAVEL EXPENSES**

Travel to conduct City business should be accomplished in the most economical and efficient manner possible. This policy governs allowable expenses, by which travel is obtained and the required procedures and documentation.

This policy applies to any elected or appointed official or City employee who travels as well as anyone who arranges, approves, pays for or processes transactions related to travel.

### **A. General Guidelines**

The City pays or reimburses reasonable and necessary expenses for City travel, with proper approval by the City.

Travel is often part of the job and travel arrangements and payments are intended to be neutral to the employee with no advantage or benefit to the employee.

The City's reimbursement policies are based on IRS guidelines for an accountable plan, which allows the City to reimburse employees for authorized business expenses without creating a taxable event for the employee.

It is your responsibility to demonstrate that the expenses you incur or approve are reasonable and necessary. As needed, you should include explanations and documentation to fully substantiate travel expenses.

The standard you should apply is that each travel expense should stand on its own without the need to seek further explanation. In other words, an individual who did not take or approve a trip could review the trip documentation and readily understand what expenses were incurred and why and how they relate to transacting City business.

As a traveler or approver, you are responsible for being familiar with and adhering to City travel rules and policies. Deliberate disregard for City travel rules or policies or intentionally filing or approving a fraudulent or misleading expense report are grounds for disciplinary action including termination of employment.

Where feasible and appropriate, you should have the City pay travel expenses before the trip, such as airfare and registration. Eligible expenses you incur are reimbursable after the travel has occurred.

The City has two credit cards (Procurement Card and Fuel Card) that may be used to pay for travel expenses. Collision damage coverage is provided by the card issuer when the Procurement Card is used to pay for rental cars.



## B. Types of Travel Expenses

### 1. Vehicle

For travel by vehicle, use City issued fuel credit cards to purchase fuel for City owned vehicles.

Reasonable expenses for oil, washing, filters and other necessary services are allowable as long as you attach receipts to your expense report or provide other justification, such as for a coin operated car wash.

It is the intent of the City to use City vehicles whenever possible in lieu of use of personal vehicles for City travel purposes. When a City vehicle is not available or appropriate, mileage shall be reimbursed at the standard mileage rate set by the Internal Revenue Service for use of a personal vehicle for official City business when traveling more than fifteen (15) miles outside City limits.

### 2. Air Travel

You are expected to exercise prudent care in arranging airfare in order to obtain the lowest feasible fare. Only coach fare is allowed. You should obtain the lowest reasonable, logical airfare. Air travel arrangements should be made on the basis of what benefits the City and not on accruing frequent flyer miles for an individual.

### 3. Lodging

Lodging shall be reimbursed when travel extends beyond seventy-five (75) miles from the City, or a greater than ninety (90) minute one-way trip.

You are expected to select the location, type and cost of lodging that best meet the needs of the City and your work requirements. Reasonable and necessary amounts are allowed for the cost of lodging at the single room rate, in accordance with the U.S. General Services Administration lodging rates. In areas where comparable accommodations are available at significantly different prices you should seek prior approval for selecting higher priced lodging and document the reason(s) for selecting the higher priced lodging.

Key issues that determine hotel acceptability to the City include accountability, transparency, price, safety, convenience, ease of booking and payment, oversight and issue resolution.

When traveling on City business in Missouri, your lodging is exempt from state sales tax. At the time of check-in, provide a copy of the Missouri Sales and Use Tax Exemption Certificate.

An itemized statement furnished by the lodging provider and documentation of payment are required for all lodging expenses.

#### 4. Meals

Employees may claim the applicable per diem rate for each eligible meal (breakfast, lunch or dinner) while in travel status. Tips on meals are part of the per diem and may not be claimed separately. Employees may not use the Procurement Card to pay for meals while in travel status. Employees must pay for meals from their own funds. Their actual expense may differ from the applicable meal per diem.

Travel status begins when you leave your residence or domicile to travel on City business. Travel status ends when you return to your residence or domicile. You are not in travel status if any part of your trip involves a commute. When your official domicile and residence are different, the travel status begins and ends on whichever is less.

To qualify for a meal per diem when no overnight lodging is indicated, you must be in travel status for twelve (12) hours or more.

Eligible meal is defined as follows:

- a. Breakfast –if travel status begins no later than 7:00 a.m.
- b. Lunch –if travel status begins no later than 10:00 a.m. and continues past 2:00 p.m. until you return.
- c. Dinner –if travel status begins no later than 5:00 p.m. and continues past 7:00 p.m. until you return.
- d. The per diem rate is set in accordance with the U.S. General Services Administration meals and incidental expenses breakdown.

When attending a meeting or conference you may claim the applicable meal per diem for those meal times where you document that no meal was provided.

#### 5. Miscellaneous Expenses

You may request reimbursement for reasonable and necessary business expenses you actually incur related to travel, including:

- a. Taxis or other ground transportation to or from the airport and to or from meetings away from your hotel.
- b. Parking.
- c. Transportation to attend official events outside the hotel or to get a meal.
- d. Toll charges for bridges and turnpikes.
- e. Incidental expenses such as postage, small emergency supplies, telephone, internet, fax, and other like charges when necessary for transacting City business while traveling. Attach proof of payment to your expense report.

Expenses incurred for your sole benefit, such as any type of insurance, Individual Business Travel Card late payment fees or finance charges, travel loan finance charges, personal credit card fees or dues, entertainment such as television or movie charges, bar bills, fitness

membership fees, extra meals or snacks, bulk food/beverage purchases, newspapers, magazines and other like charges are not allowed as reimbursable travel expenses.

Items which have been properly purchased and invoiced directly to the City of Smithville are not reimbursable and should not be included on an expense report.

#### C. Reimbursement Process

A monthly expense report is required to request reimbursement of travel expenses. Attach itemized receipts for each item for which reimbursement is requested.

Expenses reports must be submitted within 90 days after the end of the trip on which the expenses are paid or incurred or the reimbursement may be taxable to the employee. For expenses reported more than 90 days after the end of the trip, you must document the reason for the delay. Reimbursement is subject to the availability of funds and the City has the discretion to deny reimbursement.

The person incurring the expenses must sign the form and submit it for approval.

#### D. Other Requirements

##### 1. Resident City Other Than Official Domicile

If your residence is in some place other than the City of Smithville (your official domicile), you are not allowed expenses while in your resident city or mileage for travel between your resident city and your official domicile. You may request reimbursement for a meal charge you incur within your resident city if incurred as part of a City sponsored conference or business meeting. This represents meals served to officials and employees at conferences and meetings while they are interacting and conducting City business. Any additional travel expense incurred because you reside in a place other than the official domicile is not eligible for reimbursement.

##### 2. Alternate Travel Arrangements

Employees may request approval to travel by alternative means or under an alternative time frame. Examples are traveling by personal vehicle to a meeting and extending the time of travel before and/or after the meeting. The City will pay or reimburse no more than what it would have had the employee traveled by conventional means and under normal time constraints. Your request must include the following information:

- a. Your reason for requesting this arrangement
- b. Documentation of what your expenses would have been had you traveled in a conventional manner
- c. A clear demonstration that this alternate arrangement is not to the detriment of the City.

- d. Whether or not your alternate arrangement will have you traveling at times that normally would be work times. In these cases, you may need to seek approved time off.
- e. If you elect to drive a personal vehicle rather than fly, you must provide a comparison between the estimated total cost to drive and the estimated total cost to fly. If approved the City will reimburse the lower of your actual cost to drive or the estimated cost to fly.

Additional provisions regarding alternate arrangements include:

- a. Only authorized passengers are permitted to ride in City owned vehicles, including vehicles rented under the City's name. Non-City individuals such as volunteers, spouses, and children should not be passengers in a City vehicle unless they are involved in the conduct of City business.
- b. If an employee personally rents a vehicle for City business travel because they want to take an "unauthorized passenger" with them in the rental, the employee must purchase liability and collision coverage through their personal auto insurance or directly from the rental company. In the event of an accident, the employee's coverage or insurance purchased from the rental agency would provide primary coverage. Any expenses incurred beyond the rental charge and fuel are not allowable for reimbursement.

### 3. Spouse and Family Expenses

Expenses for a spouse and family at an official business function are allowable under the following circumstances:

- a. This expense must be for a legitimate business reason where attendance of the spouse is required to represent the City. City employees and officials may be reimbursed for expenses incurred by their spouses or other members of their family only as provided in City policy.
- b. Approval of these expenses should be attached to the applicable expense documents.

### 4. Exceptions

As this policy is approved by the Board of Aldermen, any exceptions to the policy must be in writing and approved by a majority vote of the Board of Aldermen.

## **ARTICLE 18 PROHIBITIONS AND PENALTIES**

### *Section 18-1 Participation in Political Activities*

Employees are prohibited from bringing their political affiliations to bear on their official duties. Specifically, the following political activities of employees are prohibited:

1. Campaign fund raising, or other partisan political activities on City premises while in the performance of duties and responsibilities as an employee of the City.
2. Abuse of official position for political ends.
3. Use of official working time or unauthorized use of City resources for political activity.
4. Promising any employment, position, work, compensation, or other benefits as consideration, favor or reward for political activity.
5. Performing political activities at the direction of a supervisor, department head, or other City official.

City employees shall not be appointed or retained on the basis of their political activity. City employees shall not be coerced to take part in political campaigns, to solicit votes, to levy, contribute or solicit funds or support, for the purpose of supporting or opposing the appointment or election of candidates for any municipal office.

### *Section 18-2 Discrimination and Sexual Harassment*

No appointment, promotion, demotion, removal, or advancement in employment shall be made based on race, religion, creed, national origin, sex, age, non-disqualifying physical or mental disability, or any other characteristic protected by law.

Sexual harassment of employees is a serious matter and is prohibited in the work-place by any person and in any form. No department head, supervisor or other employee shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, performance appraisal, wages, advancement, assigned duties, or any condition of employment or career development. Other sexually harassing conduct whether committed by department heads, supervisors, or non-supervisory personnel is also prohibited. Such conduct includes but is not limited to: sexual actions, advances or propositions, verbal or written abuse of a sexual nature, or sexually degrading words used to describe an individual.

Any department head, supervisor, or other employee who is found, after appropriate investigation, to have discriminated against an employee or harassed any employee as prohibited in the preceding paragraphs shall be subject to appropriate disciplinary actions up to and including termination.

It is the policy of the City to provide an environment free from unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication constituting sexual harassment. The purpose of this policy is to establish clearly and unequivocally that the City prohibits sexual harassment by and of its employees.

Sexual harassment is misconduct which interferes with work productivity and deprives employees of the opportunity to work in an environment free of unsolicited and unwelcome sexual overtones. Sexual harassment includes all unwelcome sexual advances and sexually oriented communication, requests for sexual favors, and such other verbal or physical misconduct. Sexual harassment is a prohibited practice and is a violation of the law. The U. S. Equal Employment Opportunity Commission has issued guidelines interpreting Section 703 of Title VII of the Civil Rights Act prohibiting sexual harassment. The Missouri Commission on Human Rights has also issued regulations regarding sexual harassment under the Missouri Human Rights Act.

Sexual harassment is defined as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical misconduct of a sexual nature when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that may constitute sexual harassment include:

1. Verbal: suggestive comments about a person's clothing, body, or sexual activity; humor or jokes about sex or about gender-related characteristics; sexual innuendos and comments; direct or indirect threats linked to sexual propositions or sexually- explicit questions.
2. Nonverbal: suggestive or insulting sounds (leering, whistling); display of sexually- explicit pictures or photographs; obscene gestures; staring at a person's physical features.
3. Physical: intentionally brushing a person in passing; inappropriate touching, patting, or tickling; pinching or squeezing; coerced sexual activity and sexual assault.
4. Written: suggestive notes, letters; suggestive E-mail messages, text messages.

If the aggrieved person does not wish to communicate directly with the person whose conduct or communication is offensive or if direct communication with the offending person has been ineffective, the aggrieved person should report the conduct or communication to any supervisor or directly to the human resources department. If the supervisor is the offending person, the aggrieved person should report to the next higher level of management or directly to the human resources department.

Regardless of the means selected for resolving the problem, the initiation of a complaint of sexual harassment will not adversely reflect on the person complaining nor will it affect the employee's employment, compensation or work assignments.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. If you feel you have experienced or observed any form of unlawful harassment, please take the following actions:

1. promptly advise the offender(s) that the conduct is unwelcome and request that it be stopped immediately;
2. document the incident as to date, time, place, witnesses, and nature of the incident; and
3. report the incident to the EEO Officer immediately.

In all cases, the EEO Officer or his or her designated representative will be available to hear complaints. The EEO Officer shall be the City Administrator.

Employees are encouraged to use the City's grievance procedure to address sexual harassment problems.

Employees intentionally making false claims are subject to discipline as set forth herein.

#### *Section 18-3 Nepotism; Restriction on Employment of Relatives*

A City employee may not appoint, employ, promote, advance, or advocate for appointment, employment, promotion or advancement in or to any position of the City service over which the employee exercises jurisdiction or control, any person to whom he/she is a relative by consanguinity or affinity within the fourth degree, by consanguinity or affinity, or who is an immediate family member. A City employee may not appoint, employ, promote, advance, or advocate for appointment, employment, promotion or advancement in or to any position of the City service in violation of law.

Two (2) members of an immediate family shall not be employed under the same supervisor; neither shall two (2) members of an immediate family be employed at the same time, regardless of the administrative department, if such employment will result in an employee supervising a member of the immediate family. This policy applies to promotions, demotions, transfers, reinstatements and new appointments. The provisions of this section shall not be retroactive, and no action is to be taken concerning those members of the same family employed at the time of the adoption of this section.

#### *Section 18-4 Outside Employment*

No full-time employee shall accept outside employment, whether part-time, temporary, or permanent, without notification first being given to the appropriate department head or the City Administrator. Each change in outside employment shall require separate notification. When such outside employment conflicts or interferes, or is likely to conflict or interfere, with the employee's municipal service, the department head or City Administrator shall take appropriate disciplinary action to prevent such interference, and the City Administrator may terminate the employee if such conflict may result in significant impairment to the municipal service. Employees may not engage in any private business activity while on duty. No employee shall engage in or accept private employment or render any service for private interest when such employment or service is incompatible or creates a conflict of interest with official duties.

### *Section 18-5 Conflict of Interest*

Except as otherwise authorized by law, no employee in the City service shall hold a financial interest in a firm, institution, corporation, or other establishment supplying goods or services to the City. No employee shall be employed in any capacity with a firm, institution, corporation, or other establishment supplying goods or services to the City when that capacity means the possession, direct or indirect, of the powers to direct or cause the direction of the management and policies of that organization. No employee shall receive any payment, gifts, favors, or other consideration from any person, firm, institution, corporation, or other establishment supplying goods or services to the City. Conflicts also reach to spouses' and dependent children's interests. Notwithstanding the above, holding less than 5% of the stock in a publicly traded company shall not be deemed a conflict of interest for purposes hereof.

### *Section 18-6 Disability and Reasonable Accommodation*

The City is committed to providing an accessible and supportive environment for employees with disabilities. Equal access for qualified employees with a disability is an obligation of the City under Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 ("ADA"), and the ADA Amendments Act of 2008 (ADAAA). The City does not discriminate on the basis of disability against otherwise-qualified individuals in any program, service or activity offered by the City. The City is committed to ensuring that no otherwise qualified individual with a disability is excluded, denied services, segregated or otherwise treated differently than other individuals because of the absence of auxiliary aids or other appropriate services; however, accommodations cannot result in an undue hardship to the City or fundamentally alter the essential functions of the job.

Employees are responsible for initiating requests for any desired disability related workplace accommodations. Supervisors/department heads are responsible for receiving requests for workplace accommodations, informing employees of the process and referring requests to the City Administrator, who will work with Human Resources regarding the request. Supervisors are also responsible for initiating a discussion concerning accommodations when they have reason to believe that an employee's disability precludes the employee from initiating a request. Supervisors should inform the City Administrator and human resources department of all requests for accommodations. The City Administrator, in conjunction with the human resourced department, is responsible for evaluating the request, determining what type of documentation is necessary, and determining if the requested accommodation is appropriate and effective.

As used in this Section:

1. Disability: The term "disability" means, with respect to an individual — (1) a physical or mental impairment that substantially limits one or more major life activities of such individual, (2) a record of such an impairment; or (3) an impairment that is episodic or in remission if it substantially limits a major life activity when it is active.
2. Substantial Limitation: An impairment is substantially limiting if it prohibits or significantly restricts an individual's ability to perform a major life activity as compared to the ability of the average person in the general population to perform the same activity. The determination of whether an impairment substantially limits a major life activity depends



on the nature and severity of the impairment, the duration or expected duration of the impairment, and the permanent or long-term impact of the impairment.

3. Major Life Activity: A major life activity is defined as the act of caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.
4. Qualified Individual with a Disability: An employee or applicant for employment who, with or without a reasonable accommodation can perform the essential functions of the position.
5. Reasonable Accommodation: A modification or adjustment to a position, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to perform the essential functions of the position. Examples of reasonable accommodations may include, but are not limited to: (1) making existing facilities readily accessible to and usable by persons with disabilities; (2) job restructuring, modifying work schedules, reassignment to a vacant position; or (3) acquiring or modifying equipment or devices, adjusting or modifying examinations, training materials, or policies, and providing qualified readers or interpreters.
6. Essential Job Function: The fundamental duties of the position or the primary reasons the position exists. The City does not have to eliminate an essential function from the position, nor does it have to lower quality or performance standards to make an accommodation, as long as those standards are applied uniformly to employees with or without a disability. The City does not have to create a new position to accommodate an employee.
7. Undue Hardship: An accommodation or action requiring significant difficulty or expense when considered in light of factors such as the City's size, financial resources, and the nature and structure of its operation. Undue hardship also refers to an accommodation that is unduly expensive, substantial, or disruptive, or one that would fundamentally alter the nature of the position.

Applicant and employee requests for reasonable accommodations shall be made to his or her supervisor. Supervisors receiving a request should immediately contact the City Administrator and human resources department for guidance.

### *Section 18-7 Penalties*

Any employee found guilty of any violation of this section shall be subject to any disciplinary action up to and including dismissal as defined by these rules, and such other penalties as may be deemed appropriate and consistent with the laws of the City and the State of Missouri.

## **ARTICLE 19 MANAGEMENT RIGHTS**

### *Section 19-1 Retained Rights*

The City shall retain the sole right and authority to operate and direct the affairs of the City in all its various aspects. Among these rights are the City's right to determine its mission and set standards for service offered the public; to direct the working forces; to plan, direct, control, and determine the operations or services to be conducted in and by the employees of the City; to assign and transfer employees; to hire, promote, and demote employees; to suspend, discipline, or discharge employees; to relieve employees due to lack of work or for other reasons, such layoffs being normally accomplished through attrition; to make and enforce rules and regulations; and to change methods, equipment, or facilities.

## **ARTICLE 20 ELECTRONIC COMMUNICATION POLICY**

### *Section 20-1 Purpose*

To ensure the responsible and acceptable use of electronic communication systems including, but not limited to internal and external electronic mail (e-mail), and the internet while continuing to support the needs of citizens and City employees.

### *Section 20-2 Policy*

The City views the legitimate use of the internet/e-mail system as potentially enhancing many of its functions and services being provided to the public. The goal of the policy is to insure the responsible and acceptable use of these resources. This policy applies to all employees, contractors, volunteers and other individuals who are provided access to these systems.

The City reserves the right to review all data, information or computer files stored in or sent to or from computers owned or supplied by the City. This includes any type of e-mail, internet access usage, or other subscription services.

All data and other electronic messages within this system are the property of the City. This includes all the material and information created, transmitted or stored on this equipment. There should be no expectation of privacy for any of the material or information. All users must realize that material or information that has been deleted can be retrieved and viewed by others. That also includes the e-mail that has been deleted. The Board of Aldermen reserves the right to change this policy at any time.

### *Section 20-3 Eligibility*

Department heads and elected officials may provide access to internet and/or email systems for some employees. This capability will be provided on an as needed basis and is a revocable privilege. Only the City-approved internet provider may be used to access the internet. Any additional hardware or software required for internet access must be authorized by the information services administrator.

### *Section 20-4 General Guidelines for Internet/e-mail Usage*

These resources are to be used primarily to conduct City business. However, incidental and occasional personal use during non-working hours is permitted with supervisory approval.

The safety and security of the City's network and resources must be considered paramount when using the Internet. User passwords are confidential. It is the user's responsibility to maintain the confidentiality of the user's assigned password(s). Individual users will be held accountable for use of their account by others.

Users must abide by copyright, contract and other local, state and federal laws, City administrative directives and policies, as well as individual department guidelines. Downloading files that are not related to conducting business for the City is not allowed.

Downloading of application programs or files without consent of the City Administrator is prohibited. The City does not recommend the downloading or installation on City computers of application software from the internet. Such software may not only contain embedded viruses, but also is untested and may interfere with the functioning of standard City applications. Any and all material downloaded with written permission of the City Administrator from the internet shall be downloaded to the user's local hard drive. No files should be copied to any network drive until after the files have been scanned manually or automatically for computer viruses. If a virus is detected, the information services administrator should be notified immediately. Any and all material downloaded from the internet should relate to legitimate City use.

#### *Section 20-5 Employer-Issued Cellular Phone Policy*

At the discretion of the City Administrator, city employees may be issued one (1) cellular phone unit of the City's choosing for use during working hours and as emergency contact after hours. The cell phone capability for city use will be limited to those employees as designated by the City. The phone is the primary source of communication during working hours.

If an employee is issued a cell phone and that employee is only interested in cell phone use for city purposes and is not interested in paying for personal use, then the employee shall not use the phone for any personal use. The City administration will review itemized billing(s) to ensure that no personal calls are made or accepted on the integrated cell phone issued to that employee. The City will be responsible for the costs associated with city business only.

If an employee is issued a cell phone and the employee wishes to use the phone for personal use, the employee is required to pay for any excess charges that would not be otherwise be paid by the City. In addition, the employee shall authorize \$10 a month to be withheld from their paycheck to use the phone for personal use, but if the costs incurred by the employee exceed the normal \$10 monthly fee, then the employee hereby authorizes the City to withhold the additional charges from the employee's paycheck.

The employee will be responsible for all unauthorized charges including but not limited to: data usage, directory assistance, text messaging, premium text messaging, downloading of ring-tones, call-tones, or dial-tones, and excise taxes associated with overages.

Excessive personal cell phone traffic and other abuse of cell phone capabilities will not be tolerated.

Prior to the use of the cell phone, the user should be thoroughly familiar with the phone features, proper care and operation, and rate plan limitations for the assigned phone.

Each person assigned cell phone is responsible for its proper care and use. The City may purchase insurance to cover insurance for loss or damage. However, there remains a deductible that may need to be paid for each incident. Each employee will be responsible for replacement of the phone or the deductible on damage or loss during non-working conditions. Loss or damage caused during normal working conditions other than gross neglect will be the responsibility of the City.

Employees shall be responsible for insuring that the battery is adequately charged to ensure unit operation during working hours. Employees that are issued cell phones shall carry the unit with them during work hours so they are able to be contacted via the unit.

All employees are prohibited from using a cell phone or similar device while driving, except with the use of a hands-free device, whether the business conducted is personal or company-related

Upon resignation, termination of employment, or at any time upon request, the employee will be asked to produce the equipment for return or inspection. Employees unable to present the equipment in good working condition within a reasonable time period (i.e., 24 hours) will bear the cost of a replacement. Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms. Any outstanding debt will be deducted from the employee's final pay check.

The use of the cell phone shall also be subject to all of the other terms of this Article 20 in all respects including but not limited to internet and email policies and employees having no expectation of privacy in any use of the cell phone for any reason.

Any misuse or abuse of the cell phone or this policy shall be subject to any discipline up to and including termination under this Employee Handbook.

#### *Section 20-6 Employer-Issued Laptop Policy*

At the discretion of the City Administrator, city employees may be issued one (1) laptop of the City's choosing for use during working hours and/or after hours in the office or at the employees' homes.

Each person assigned a laptop is responsible for its proper care and use. Each employee will be responsible for replacement of the laptop or the deductible on damage or loss during non-working conditions. Loss or damage caused during normal working conditions other than gross neglect will be the responsibility of the City.

Upon resignation, termination of employment, or at any time upon request, the employee will be asked to produce the equipment for return or inspection. Employees unable to present the equipment in good working condition within a reasonable time period (i.e., 24 hours) will bear the cost of a replacement. Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms. Any outstanding debt will be deducted from the employee's final pay check.

Any misuse or abuse of the laptop or this policy shall be subject to any discipline up to and including termination under this Employee Handbook.

### *Section 20-7 Social Media Policy*

All employees are subject to the Social Media Policy adopted by the City, as now enacted or as amended, this Employee Handbook, and in particular this, article. The establishment and use by any City department of City's social media sites are subject to approval by the City Administrator or his/her designees. All City of Smithville social media sites shall be administered by members of City of Smithville staff. Authorized employees representing the City government via social media sites must conduct themselves at all times as a representative of the City and in accordance with all City policies. Unauthorized use of City social media sites by employees are subject to disciplinary action in accordance with the Employee Handbook. Employees exhibiting behavior on City's social media sites that is not in accordance with City policy are subject to disciplinary action in accordance with the Employee Handbook.

Employees shall have no authority to post any comments or matter as representing the position or policy of the City of Smithville on any social media site, whether a City site or otherwise, without being authorized as set forth herein.

### *Section 20-8 Telecommuting Policy*

*General Information:* The occasionally permits employees to telecommute when the employee's Department Head, and City Administrator evaluates the telecommute request and approves it. When evaluating the request, the Department Head must determine that the employee can effectively perform the job duties of the position while telecommuting. The Department Head must also determine that the telecommuting arrangement conforms with applicable regulations and policies.

Telecommuting may be appropriate for some employees and positions but not for others. Telecommuting is not an entitlement, it is not a Citywide benefit, and it in no way changes the terms and conditions of employment with the City.

*Telecommuting Definition:* For the purpose of this policy, telecommuting refers to an arrangement where an employee occasionally or regularly works from home or from a location away from the normal workplace.

Arrangements may be made on an as-needed basis for circumstances such as inclement weather, special projects, business travel, family and medical leave, and other temporary situations as deemed appropriate by the Department Head and City Administrator. All telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the City.

*Eligibility:* Individuals requesting telecommuting arrangements must be employed with the City for a minimum of 6 months of continuous, regular employment and must have a satisfactory performance record. This policy may apply in situations such as a pandemic or weather-related event.

Before entering into any telecommuting arrangement, the employee and Department Head, with the assistance of Human Resources, will evaluate the suitability of such an arrangement, reviewing the following areas:

- **Employee suitability:** The employee and Department Head will assess the needs and work habits of the employee. Considerations include how well the employee has demonstrated the kind of skills and work habits that working from home will require.
- **Job responsibilities:** The employee and Department Head will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
- **Equipment needs, workplace design considerations and scheduling issues.**
- **Department readiness for telecommuting:** Ensure that the teleworking employee will continue to get work done effectively. Determine the following:
  - How will the Department Head and co-workers stay informed about the employee's productivity?
  - How will the department and employee communicate?
  - When is in-person attendance required?
- **Other practical details, including technology access, equipment needs, time and leave accounting, and any safety concerns.**

*Related policies and practices:* Both Department Heads and employees must understand and comply with the following policies:

- **Security:** Consistent with the City's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of confidential city information, including, but not limited to:
  - Personal and financial information belonging to city residents and employees
  - Other confidential information belonging to, or in the care of, the City
  - Certain documents containing sensitive information should not be removed from the business office, including but not limited to: protected health information; financial records belonging to the City, employees, or residents; or other sensitive information as determined by the Department Head and/or City Administrator.
- **Public Records Disclosure:** The work employees do while telecommuting remains subject to City and other applicable regulations including the Missouri Sunshine Law, regardless of the use of a City-issued device, or a personal device.
- **Overtime eligible employees:** For non-exempt employees, work performed off site is compensable and subject to Fair Labor Standard Act (FLSA) overtime regulations. It is the responsibility of the employee to accurately track and report their time worked. Failure to comply with this requirement may result in the immediate termination of the telecommuting agreement.
- **Workers' Compensation:** Telecommuting employees are covered by workers' compensation for job-related injuries that occur in the course and scope of employment. When the telecommute site is in the home, workers' compensation does not cover injuries that are not job related.

## **ARTICLE 21 SAVINGS CLAUSE AND AMENDMENT**

### *Section 21-1 Savings Clause*

Invalidation of any part, rule, or section of these personnel rules and regulations shall not affect the validity of the other rules and sections.

### *Section 21-2 Amendment*

Amendment of these rules and regulations shall be approved by a majority vote of the Board of Aldermen. Copies of such amendments shall be distributed to all department heads and such other officials as the City deems appropriate and made available to all employees.

The City retains the right to change, modify, suspend, interpret, or cancel in whole or in part any of its published or unpublished policies or practices, with or without notice. If statements in this Employee Handbook are found to conflict with existing or future local, state or federal laws or regulations, such rules shall supersede and prevail over the Employee Handbook statements. This edition of the Employee Handbook supersedes all previous editions of the Employee Handbook.





## Board of Alderman Request for Action

**MEETING DATE:** 7/19/2022

**DEPARTMENT:** Parks and Recreation

**AGENDA ITEM:** Resolution 1087, Special Event Permit - Festiville

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**REQUESTED BOARD ACTION:**

A motion to approve Resolution 1087 issuing a Special Event Permit to Eric Craig Real Estate Team for Festiville to be held on August 13, 2022.

**SUMMARY:**

Eric Craig Real Estate Team has submitted an event application for their event scheduled from 3:00 p.m. until 1:00 a.m. on August 13, 2022. Festiville will be using the Courtyard, Main Street, Bridge Street and Church Street. Street closures will begin at 8:00 a.m. for set-up.

Festiville has also requested to extend the noise ordinance policy (City Ordinance 205.2210) for their event to 1:00 a.m. They plan to wrap up the event at 12:00 a.m. and have an hour for clean up.

**PREVIOUS ACTION:**

Special Event Permit was approved for this event in June 2019. Temporary Liquor License was approved on 6/21/2022.

**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: Application and Map |                                   |

## **RESOLUTION 1087**

### **A RESOLUTION APPROVING A SPECIAL EVENT PERMIT FOR ERIC CRAIG REAL ESTATE TEAM FOR "FESTIVILLE" 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 SPECIAL EVENT PERMIT TO ERIC CRAIG REAL ESTATE TEAM FOR FESTIVILLE TO BE HELD 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 19<sup>th</sup> day of July 2022.

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Damien Boley, Mayor

ATTEST:

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Linda Drummond, City Clerk



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 13<sup>th</sup>

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

#### Property Owner(s), if not applicant or City

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Emergency #: \_\_\_\_\_

E-mail: \_\_\_\_\_

#### Alternative Contact

Name: Jamie Karr

Phone: 816-838-1573

#### Alternative Contact

Name: Eric Craig

Phone: 816-726-8565

Detailed event description continued (Attach additional sheet if necessary): \_\_\_\_\_

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### 3. EVENT TYPE:

Run ☐ Walk ☐ Parade/  
March ☐ Bike  
Race/Tour ☐ Street Fair ☐ Concert ☐ Film ☐ Festival ☒ Other: ☐ \_\_\_\_\_

### 5. SITE PLAN

Where do you plan to have your event? Courtyard Park: \_\_\_\_\_ Other Public Property: \_\_\_\_\_

The site plan should be a detailed narrative and/or map including a description of the event set up, such as event entry and exit, temporary restrooms, first aid, start/finish lines, inflatables, and a timeline of your event. Please write this description in the space provided below or attach the description as a Word document. Explain Your Site Plan (Attach additional sheet if necessary): Map attached

of event space. We will have a detailed  
map of vendor location and temporary restroom  
locations later on

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## 6. PARKING PLAN

Do you have sufficient on street/lot parking at your event space? Yes: ☒ No: ☐

If No: Additional Parking and Shuttle Routes need to be approved by the City. Explain Your Parking Plan (Attach additional sheet if necessary): \_\_\_\_\_

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## 7. PUBLIC INFORMATION:

If applicable, surrounding businesses that will be impacted by the event must be notified no later than 14 days prior to the event. How will you notify neighbors/businesses of your event? Explain (Attach additional sheet if necessary):

We will walk to surrounding businesses offering them a vendor space, if they decline, we will inform them of the event expectations of crowd.

## 8. CANCELLATION NOTICE:

How will you notify participants if your event is cancelled with 48 hours of event day? Explain (Attach additional sheet if necessary):

Phone call + email

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## 9. SECURITY PLAN:

Describe your security plan, including crowd control, internal security, and venue safety. Specify if you would like to hire off-duty police support. (Attach additional sheet if necessary):

Hire off-duty police support.

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#### 10. RESTROOM PLAN:

Describe your restroom/restroom cleaning plan. At least three restrooms must be provided for each estimated 500 attendees. Specify if you would like to hire city staff support (Attach additional sheet if necessary):

We will be providing temporary restrooms  
+ cleaning necessary.

#### 11. CLEAN UP PLAN:

Describe your clean-up plan, including trash removal and recycling containers. Specify if you would like to hire city staff support. (Attach additional sheet if necessary):

Our team will  
clean after event. We will provide trash  
cans + removal.

#### 12. FIRST AID PLAN:

Describe your First Aid Plan. (Attach additional sheet if necessary):

See attached

#### 13. UTILITY CONNECTIONS

Do you want to have a utility connection/s at your event? Yes: ☒ No: ☐

If Yes: How Many Electric Pedestals? all downtown

If Yes: How Many Water Hookups? not needed

Additional Utility Requests (Attach additional sheet if necessary): \_\_\_\_\_

#### 14. ROADWAY AND PARKING LOT CLOSURES:

Will you require a roadway closure? Yes: ☒ No: ☐

If Yes: Explain (Attach additional sheet if necessary): See map, Johnny Viebrock  
will do this

**ERIC CRAIG**

816-726-8565

[ERICSCRAIG@GMAIL.COM](mailto:ERICSCRAIG@GMAIL.COM)

BIRTHDAY- JANUARY 31ST

**ERIKA BORDEN**

816-686-0788

[ERIKABORDEN@KW.COM](mailto:ERIKABORDEN@KW.COM)

BIRTHDAY-NOVEMBER 13TH

**HUNTER CRAIG**

816-835-2074

[MHCRAIG@GMAIL.COM](mailto:MHCRAIG@GMAIL.COM)

BIRTHDAY- SEPTEMBER 4TH

**JAMIE KARR**

816-838-1573

[CRAIGALLENASSISTANT@GMAIL.COM](mailto:CRAIGALLENASSISTANT@GMAIL.COM)

BIRTHDAY- APRIL 5TH

**JESSICA HEADY**

816-560-3002

[JESSICA@ERICCRAIGTEAM.COM](mailto:JESSICA@ERICCRAIGTEAM.COM)

BIRTHDAY- JANUARY 14TH

**LANDON WOOD**

660-254-9421

[LANDONWOOD@KW.COM](mailto:LANDONWOOD@KW.COM)

BIRTHDAY-NOVEMBER 1ST

**LAUREN MIGLETZ**

816-878-2701

[LAUREN@ERICCRAIGTEAM.COM](mailto:LAUREN@ERICCRAIGTEAM.COM)

BIRTHDAY-OCTOBER 5TH

**LIBBI REICHERT**

816-868-6718

[LIBBI@ERICCRAIGTEAM.COM](mailto:LIBBI@ERICCRAIGTEAM.COM)

BIRTHDAY-MAY 14TH

**LYDIA SCHUETZ**

816-520-4208

[LYDIA@ERICCRAIGTEAM.COM](mailto:LYDIA@ERICCRAIGTEAM.COM)

BIRTHDAY-DECEMBER 1ST

**MARSHALL NETH**

816-507-0133

[MNETH0133@GMAIL.COM](mailto:MNETH0133@GMAIL.COM)

BIRTHDAY-FEBRUARY 14TH

**MAX NICHOLAS**

816-785-3833

[MAX@ERICCRAIGTEAM.COM](mailto:MAX@ERICCRAIGTEAM.COM)

BIRTHDAY- MARCH 2ND

**MELISSA YATES**

816-351-9530

[MELISSA@ERICCRAIGTEAM.COM](mailto:MELISSA@ERICCRAIGTEAM.COM)

BIRTHDAY-DECEMBER 13TH

**NEVIN ROSNER**

816-810-6183

[NEVIN@ERICCRAIGTEAM.COM](mailto:NEVIN@ERICCRAIGTEAM.COM)

BIRTHDAY- JULY 7TH

**SEAN VAN HORN**

816-739-7049

[SEAN@ERICCRAIGTEAM.COM](mailto:SEAN@ERICCRAIGTEAM.COM)

BIRTHDAY-JULY 19TH

**SHANE HOMAN**

816-507-3669

[SHANE@ERICCRAIGTEAM.COM](mailto:SHANE@ERICCRAIGTEAM.COM)

BIRTHDAY- JULY 28TH

**SHEA BREZNIK**

806-886-3605

[SHEA@ERICCRAIGTEAM.COM](mailto:SHEA@ERICCRAIGTEAM.COM)

BIRTHDAY- OCTOBER 31ST

**SHELLY KIEFER**

816-651-8478

[SHELLY@ERICCRAIGTEAM.COM](mailto:SHELLY@ERICCRAIGTEAM.COM)

BIRTHDAY- OCTOBER 26TH



### 15. OTHER STAFF SUPPORT:

Do you desire to hire city staff for other duties? Yes: \_\_\_\_\_ No: ☒

If Yes: Please Explain (Attach additional sheet if necessary): \_\_\_\_\_

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### 16. SIGNAGE:

Do you want to also have advertising signage for your event on private property? Yes: ☒ No: \_\_\_\_\_

If Yes: Attach a [Sign Permit Application](#)

### 17. SPECIAL ITEMS:

Are you serving alcohol?..... Yes: ☒ No: \_\_\_\_\_ (If Yes, see [the Alcohol Guidelines](#))

Are you having amplified music?..... Yes: ☒ No: \_\_\_\_\_ (If Yes, complete question 18 on [pg. 13](#))

Will you have food/sales vendors?..... Yes: ☒ No: \_\_\_\_\_ (If Yes, complete question 20 on [pg. 15-16](#))

### 18. AMPLIFIED SOUND / PERFORMANCE LIST

If you plan to have amplified sound, provide a tentative list of performers, performance type, music genre, performance times, and duration. Include non-live prerecorded sound/music. The complete performance list is due 7 days before the event (Attach additional sheet if necessary):

1. Diamond Rio-Country-3-11
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

\*Other bands TBD

---

INSURANCE

**Must submit a copy of your special event insurance policy with this form.**

THE UNDERSIGNED is an authorized representative of the event sponsor (hereinafter Name of Event Sponsor referred to as "the Sponsor Organization") IN CONSIDERATION of being given the opportunity to sponsor this event (hereinafter referred to as "the Event"), THE SPONSOR ORGANIZATION: 1. HEREBY COVENANTS NOT TO SUE AND RELEASES, WAIVES, DISCHARGES AND INDEMNIFIES the Releasees ("Releasees" are defined as the City of Smithville and its respective officials, agents and employees) from all liability against any and all claims and causes of action for injury, death, disease, related in any manner to the Event; 2. IN THE ABSENCE OF PROVIDING PROOF OF INSURANCE COVERAGE, the Sponsor Organization further acknowledges that the City of Smithville is not sponsoring nor otherwise involved in the administration of the Event, and the Sponsor assumes responsibility for claims associated with its operation or administration. THE SPONSOR ORGANIZATION expressly agrees that the foregoing Special Event Release and Hold Harmless Agreement is intended to be as broad and inclusive as is permitted by the law of the State of Missouri and that if any portion of this Special Event Release and Hold Harmless Agreement is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect. THE UNDERSIGNED, ON BEHALF OF THE SPONSOR ORGANIZATION, HAS CAREFULLY READ AND VOLUNTARILY SIGNS THE SPECIAL EVENT RELEASE AND HOLD HARMLESS AGREEMENT, and further agrees that no oral representations, statements or inducements apart from the foregoing written agreement have been made.

SIGNATURE OF LEGALLY AUTHORIZED REPRESENTATIVE

*Lydia Schuetz*

Date

*3-14-22*

PRINTED NAME OF LEGALLY AUTHORIZED REPRESENTATIVE

*Lydia Schuetz*

TITLE

*event coordinator*

# Smithville Police Department

## Request for Off-Duty Officers

Date of Request: 3-14-22

Date of Event: 8-13-22 Address of Event: Smithville Square

Number Expected to Attend: 3,000 (Depending on event, 1 officer for every 100 in attendance/commander discretion)

Number of Officers Requested: Same as previous Beginning Time: 1 Ending Time: 11:30

Will Alcohol Be Served? YES ☒ NO ☐

Type of Event (i.e., Wedding Reception, Large Party, Community Event, Concert, Site Security, etc.)

Festive

Job Description (i.e., Parking Lot Security, Building Security, Event Security, Traffic Control, etc.)

event security

Rate of Pay-\$45/hour (3 Hour Minimum)

REQUESTOR: Personal ☐ Business ☒

Name of Requestor: Enc Craig Real Estate Team

Address: 106 W. Main St. Smithville, MO 64089

Contact Name: Lydia Schuetz Phone #: 816-520-4008 Email: Lydia@encraigteam.com

After-Hours Contact: Jamie Kan Phone #: 816-638-1573

### INSURANCE REQUIREMENT:

Business requestors hiring off-duty Smithville Officers for security work shall carry the statutory limits for Workers Compensation Insurance and a minimum of \$500,000 general liability insurance coverage.

The requestor has provided a copy of the general liability insurance certificate. YES ☒ NO ☐

Description of Business Activity:

will send copy when we have it

Are there any potential concerns or threats to your event or the attendees? ☐ YES (explain) NO ☒

Approving Commander

Radio #

Date

Time

## **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.

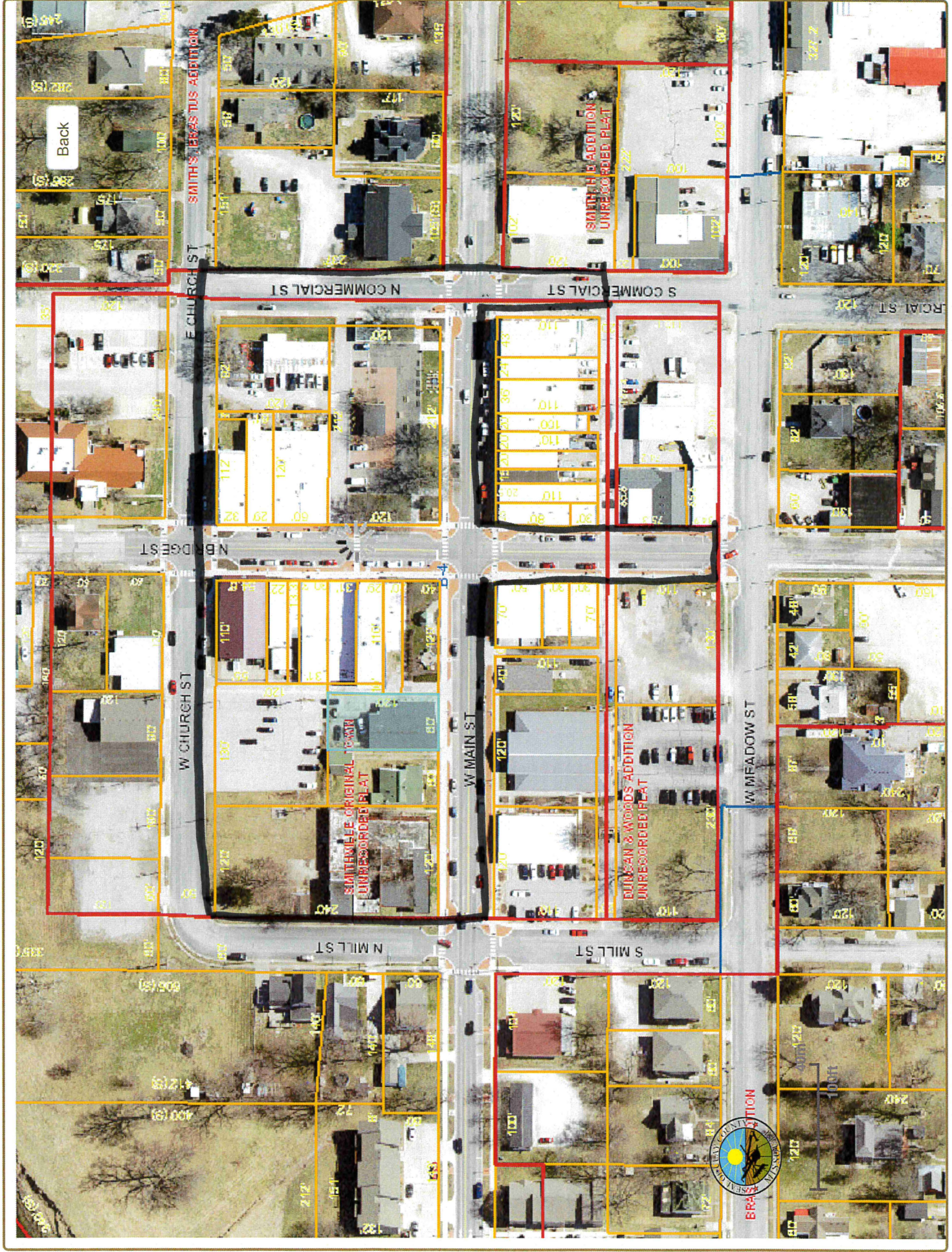
### **Fire and other Hazardous Environments**

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







 Parking



Restrooms (clusters of 5)-we have  
handicapped as well as hand washing  
stations



Food trucks







## Board of Alderman Request for Action

**MEETING DATE:** 7/19/2022

**DEPARTMENT:** Public Works (Streets)

**AGENDA ITEM:** Resolution 1088, Surplus of City Property

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**REQUESTED BOARD ACTION:**

Motion to approve Resolution 1088, declaring certain items surplus.

**SUMMARY:**

From time to time, departments have equipment or vehicles which are broken, or have been replaced by new equipment or vehicles, or are no longer used or needed by the department. For property to be disposed of by the City, property must be identified by the Board of Aldermen as surplus.

The Street Department has identified a 1991 Chevrolet C2500 4-wheel drive flatbed pickup surplus for disposal.

City staff recommends this truck be listed through GovDeals.com (online auction).

**PREVIOUS ACTION:**

Click or tap here to enter text.

**POLICY OBJECTIVE:**

To dispose of surplus property no longer utilized by the City.

**FINANCIAL CONSIDERATIONS:**

Revenues gained through selling property no longer utilized by the City will be deposited into the Vehicle and Equipment Reserve Fund (VERF).

**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 1088**

### **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 does not work as it originally did; and,

**WHEREAS**, the City of Smithville has identified a 1991 Chevrolet C2500 4-wheel drive pickup from the Public Works Department, Street Division in its possession as surplus and no longer of value; 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 19<sup>th</sup> day of July 2022.

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Damien Boley, Mayor

ATTEST:

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Linda Drummond, City Clerk



## Board of Alderman Request for Action

**MEETING DATE:** 7/19/2021

**DEPARTMENT:** Public Works – Street  
Department

**AGENDA ITEM:** Resolution 1089 - Purchase of a Cold Planer

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**REQUESTED BOARD ACTION:**

Motion to approve Resolution 1089, purchase of a John Deere cold planer for the Street Department using a cooperative bid.

**SUMMARY:**

City Code Section 105.080.C authorizes staff to use cooperative purchasing agreements. The Street Department maintains 42 miles of streets. A cold planer is a mill head that can be placed on a bobcat/skidsteer and used to repair pot holes and areas where there are utility cuts or water main breaks. The cold planer will remove (mill) small areas and provide a square area that can be patched.

Heritage Tractor has provided a purchase price from John Deere's Sourcewell cooperative purchasing agreement in an amount of \$18,500. The purchase of a cold planer was included in the 2022 Street Budget in an amount of \$15,000. The additional funds are available from savings in the Transportation Sales Tax Fund.

**PREVIOUS ACTION:**

**POLICY OBJECTIVE:**

Infrastructure Maintenance

**FINANCIAL CONSIDERATIONS:**

The 2023 budget included \$15,000 for this purchase. The additional funds are available from savings in other projects in the Transportation Sales Tax Fund.

**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: Quote |                                   |

## RESOLUTION 1089

**A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF A JOHN DEERE COLD PLANER FROM HERITAGE TRACTOR FOR THE STREET DEPARTMENT THROUGH THE COOPERATIVE PURCHASING AGREEMENT WITH SOURCEWELL IN THE AMOUNT OF \$18,500.**

**WHEREAS**, the Street Department repairs and maintains 42 miles of streets with the City; and

**WHEREAS**, a cold planer is used for repair of potholes and other pavement surface defects; and

**WHEREAS**, funds were budgeted in the 2023 budget for the purchase of a cold planer; and

**WHEREAS**, the City Code Section 105.080.C authorizes staff to utilize cooperative purchase agreements; and

**WHEREAS**, staff has made a recommendation to purchase the cold planer from Heritage Tractor, through the cooperative purchasing agreement with Sourcewell.

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

**THAT** staff is hereby authorized and directed to purchase said equipment Heritage Tractor in the amount of \$18,500.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 19<sup>th</sup> day of July, 2022.

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Damien Boley, Mayor

ATTEST:

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Linda Drummond, City Clerk

Quote Id: 26972726

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Prepared For:  
**CITY OF SMITHVILLE**



Prepared By: **Jeff Pippin**

Heritage Tractor, Inc.  
1300 S. Us-169 Highway  
Smithville, MO 64089

Tel: 816-873-3385  
Mobile Phone: 816-582-7871  
Email: [jpippin@heritagetractor.com](mailto:jpippin@heritagetractor.com)



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### Quote Summary

**Prepared For:**  
CITY OF SMITHVILLE  
107 W MAIN ST  
SMITHVILLE, MO 64089  
Business: 816-532-3897  
SLARSON@SMITHVILLEMO.ORG

**Prepared By:**  
Jeff Pippin  
Heritage Tractor, Inc.  
1300 S. Us-169 Highway  
Smithville, MO 64089  
Phone: 816-873-3385  
Mobile: 816-582-7871  
jpippin@heritagetractor.com

**Quote Id:** 26972726  
**Created On:** 27 June 2022  
**Last Modified On:** 27 June 2022  
**Expiration Date:** 04 July 2022

Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE CP18E COLD PLANER	\$ 23,969.00	\$ 18,500.00 X	1 =	\$ 18,500.00
<b>Equipment Total</b>				<b>\$ 18,500.00</b>

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### Quote Summary

Equipment Total	\$ 18,500.00
SubTotal	\$ 18,500.00
Est. Service Agreement Tax	\$ 0.00
Total	\$ 18,500.00
Down Payment	(0.00)
Rental Applied	(0.00)
<b>Balance Due</b>	<b>\$ 18,500.00</b>

Salesperson : X \_\_\_\_\_

Accepted By : X \_\_\_\_\_



JOHN DEERE

# Selling Equipment

*Heritage*  
TRACTOR

Quote Id: 26972726

Customer: CITY OF SMITHVILLE

## JOHN DEERE CP18E COLD PLANER

Hours:

Suggested List

Stock Number:

\$ 23,969.00

Selling Price

\$ 18,500.00

Code	Description	Qty	Unit	Extended
8222T	CP18E COLD PLANER	1	\$ 23,809.00	\$ 23,809.00

### Standard Options - Per Unit

1005	General Purpose	1	\$ 0.00	\$ 0.00
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<b>Standard Options Total</b>				<b>\$ 0.00</b>
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### Other Charges

	Setup	1	\$ 160.00	\$ 160.00
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<b>Other Charges Total</b>				<b>\$ 160.00</b>
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<b>Suggested Price</b>				<b>\$ 23,969.00</b>
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### Customer Discounts

<b>Customer Discounts Total</b>			<b>\$ -5,469.00</b>	<b>\$ -5,469.00</b>
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<b>Total Selling Price</b>				<b>\$ 18,500.00</b>
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## Board of Alderman Request for Action

**MEETING DATE:** 7/19/2022

**DEPARTMENT:** Parks and Recreation

**AGENDA ITEM:** Resolution 1090, Senior Center Repair

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**REQUESTED BOARD ACTION:**

Aurhtozing repairs to the Senior Center in an amount not to exceed \$7,800.

**SUMMARY:**

On September 19, 2021 it was discovered that a vehicle hit the outside of the senior center. It caused some significant damage to the outside and the inside. A police report was filed so a claim could be submitted with the City's insurance company.

Once the claim was filed, an adjustor completed an assessment of the damage. On December 6, 2021, Midwest Public Risk submitted a check for \$5,380 to repair the damages to the building.

To complete the repairs, staff reached out to Artay's Stucco. Artay's Stucco is the only company in the area who is able to complete the necessary repairs. This company was the original contractor to install the stucco and has completed repairs for the senior center on one previous occaision. The quote to repair the senior center is \$7,880. Staff recommends using Artay's Stucco as the sole source contractor.

**PREVIOUS ACTION:**

N/A

**POLICY OBJECTIVE:**

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

**FINANCIAL CONSIDERATIONS:**

The total cost for repair is \$7,880. With the check submitted by MPR of \$5,380, City expenditures will total \$2,500.

**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 Quote |                                   |



## **RESOLUTION 1090**

### **A RESOLUTION AUTHORIZING THE REPAIR OF THE SENIOR CENTER IN AN AMOUNT NOT TO EXCEED \$7,880 BY ARTAYS'S STUCCO**

**WHEREAS**, the Senior Center has significant damage to the outside and inside of the building; and

**WHEREAS**, a police report was filed, and an insurance adjustor assessed the building damage that provide the City with a \$5,380 check to complete the repairs; and

**WHEREAS**, staff recommends using the sole source contractor Artay's Stucco.

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

**THAT THE REPAIR OF THE SENIOR CENTER BE APPROVED IN AN  
AMOUNT NOT TO EXCEED \$7,880 BY ARTAYS'S STUCCO**

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 19th day of July 2022.

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Damien Boley, Mayor

ATTEST:

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Linda Drummond, City Clerk



## Owner Information

## Contractor Information

Name Anna Mitchell

Address 113 W Main st

City, State ZIP Smithville MO

Phone \_\_\_\_\_

Email Amitchell@smithvillemo.org

Project name Community Center

Company Artay's Stucco

Name Artay Erby

Address 8209 Hardy

City, State ZIP Raytown MO.64138

Phone 816-266-9278

Email artayerby@hotmail.com

Completion date To be discussed

## Scope of Work

Demo inside and out to expose damage caused by car.Repair any studs and substrate to get wall back staight.Reinstall wall on inside and stucco on outside to match existing.

## Not Included

ELECTRICAL OR PLUMBING

## Company Proposal

Artay's Stucco propose the above scope of work for the sum of \$7880.Deposit check can be made out to Artay Erby.

\_\_\_\_\_  
Submitted by (Company Representative)

\_\_\_\_\_  
Date

## Owner Acceptance

I agree to have Artay's Stucco perform the work described above.Futhermore,I understand that this is only an estimate and in most cases will not reflect the actual costed involved in completing this project.All projects will require a 50% deposit to start.Balance is due on completion.

\_\_\_\_\_  
Submitted by (home owner or authorized representative)

\_\_\_\_\_  
Date



## City Administrator's Report

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July 14, 2022

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### Employee Recognition

You will note in the agenda for Tuesday's meeting is a Proclamation acknowledging 40 years of service to the city by Robert Matthews.

Robert began in 1971 as a Police Officer for the City of Smithville. In 1978 he went to work for Purina in St. Joseph. On July 1, 1982, Robert returned to the City as a maintenance worker in the Streets Department. At that time there were only two maintenance workers and a water plant operator. Robert was paid \$5 per hour and provided maintenance not only on streets but also for water lines and sewer lines and both water and wastewater plants.

Robert enjoys the people he works with and when asked about what he appreciates today about his position, Robert is glad that the tractor has air conditioning!

Robert is a skilled equipment operator. He is detail-oriented and wants the projects that he works on to be done right. Robert has a great attitude and is always the first one to grab a piece of equipment and ready to complete a project.

Robert and his wife, Gale, have two children and six grandchildren.

We appreciate Robert's dedication and commitment to his 40 years of continuous service to the City of Smithville.



**Water Meter and Tapping Services**

As the Board is aware, the City has encountered problems over the last several months in receiving the parts to set new water services. Several builders have had to wait for several weeks as we did not have any meter setters in stock. Meter setters and meters have been on order since February. This week, we received enough meters and setters to catch up and expect the remainder of the order from February to be here in the next month, providing a bench stock of 46 meters.

As staff has previously reported, we typically have 50 or so new services per year, but due to delivery and supply issues, having the parts on hand has been challenging this year. To avoid this issue in the future staff is ordering 107 set ups based upon lots that are or will be available shortly with the current development approvals. Suppliers are projecting up to six months for new orders, so we are proceeding with this purchase.



## Board of Alderman Request for Action

**MEETING DATE:** 7/19/2022

**DEPARTMENT:** Administration

**AGENDA ITEM:** Approval of Ordinance 2947-22, Creation of the Donation Fund - Second Reading

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**REQUESTED BOARD ACTION:**

Approval of Ordinance 2947-22, Creation of the Donation Fund - second 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 19<sup>th</sup> day of July, 2022.

---

Damien Boley, Mayor

ATTEST:

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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:** 7/19/2022

**DEPARTMENT:** Development

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

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**REQUESTED BOARD ACTION:**

A motion to read Bill No. 2948-22 for Second 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. 31XX-22**

**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 19<sup>th</sup> DAY OF JULY, 2022.

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Damien Boley, Mayor

ATTEST:

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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:

1<sup>st</sup> Publication in Newspaper: May 26, 2022  
Letters to Property Owners: May 26, 2022

GENERAL DESCRIPTION

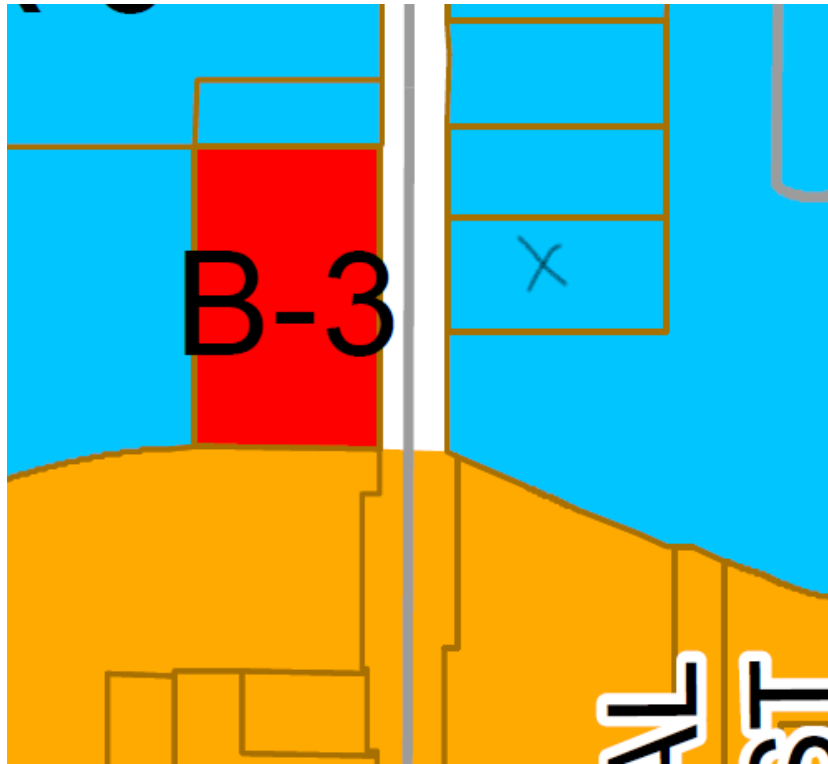


The applicant seeks to rezone the subject property to B-4 from R-3. The structure is a single family residence in multifamily zoning. The applicant seeks to change the zoning to B-4, which would allow the use of the property for a

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 10<sup>th</sup>, 2020, and formally adopted as the policy of the City on November 17<sup>th</sup>, 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,

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Zoning Administrator



## Board of Alderman Request for Action

**MEETING DATE:** 7/19/2022

**DEPARTMENT:** Development

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

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**REQUESTED BOARD ACTION:**

A motion to approve Bill No. 2949-22 for Second 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. 31XX-22**

**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 19<sup>th</sup> DAY OF JULY, 2022

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Damien Boley, Mayor

ATTEST:

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Linda Drummond, City Clerk

First Reading: 06/21/22

Second Reading 07/19/22



STAFF REPORT  
June 14, 2022

Rezoning of Parcel I# 09-302-00-02-013.00

Application for Rezoning District Classification Amendment

Code Sections:

400.560.C Zoning District Classification Amendments

Property Information:

Address: 13916 N. Virginia Ave.  
Owner: Bradley & Marjorie Dibben  
Current Zoning: A-1  
Proposed Zoning: A-R

Public Notice Dates:

1<sup>st</sup> Publication in Newspaper: May 26, 2022  
Letters to Property Owners: May 26, 2022

GENERAL DESCRIPTION

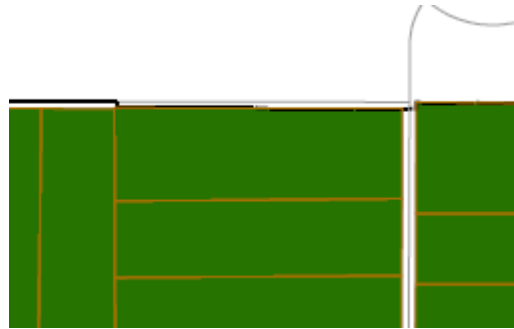


The applicant seeks to rezone the subject property from A-1 to A-R. The total acreage of the current parcel is 11.52 acres with the applicant's home

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 10<sup>th</sup>, 2020, and formally adopted as the policy of the City on November 17<sup>th</sup>, 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.

**MEETING DATE:** 7/19/2022

**DEPARTMENT:** Finance

**AGENDA ITEM:** Bill No. 2950-22, Amending the General Fund Reserve Policy – 1st Reading

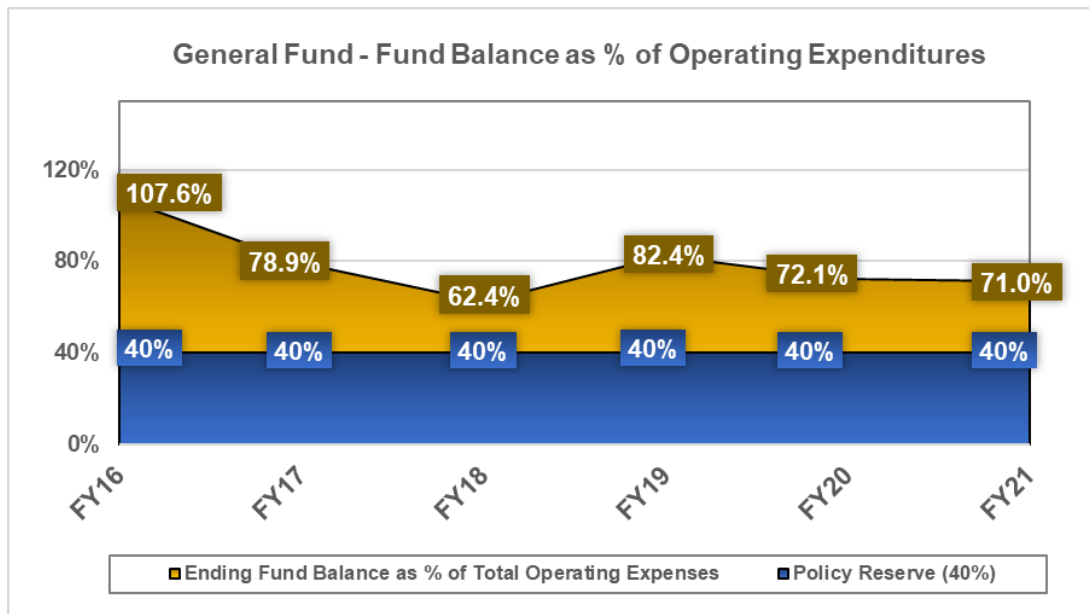
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**REQUESTED BOARD ACTION:**

A motion to approve Bill No. 2950-22, Amending the General Fund Reserve Policy – 1<sup>st</sup> reading by title only.

**SUMMARY:**

The City's current General Fund reserve policy requiring a cash balance of 40% of operating expenditures was adopted on December 1, 2015 (Bill No. 2734-15). This cash balance was chosen specifically after consultation with the City's financial advisor and GFOA (Government Finance Officer's Association) as an appropriate policy to provide resources in the case of unanticipated events which could adversely affect the City's financial condition. As seen in the chart below, for 6 years, the City has maintained a cash balance reserve level well above the 40% requirement (the lowest level being 62% of operating expenditures held in reserves at the conclusion of FY2018).



Prior to the financial summit, staff researched the General Fund reserve policies in place for surrounding/comparable. In this research, staff found that Parkville, MO also had a 25% of budgeted operating expenditures policy and a similar sized General Fund budget (approximately \$5.9 million budget).

Finance staff have provided a redlined version of the City's reserve policy. As stated above, current policy requires a cash/fund balance of 40% of General Fund operating



expenditures. Staff also believe holding 25% in reserves will provide a practical/pragmatic level of available funds in the case of unanticipated events (for example, in the case of a 25% cash balance policy, \$6 million in expenditures would require holding a cash balance of \$1.5 million).

Finance staff consulted with Piper Sandler, the City's financial advisor, regarding any potentially negative consequences of changing the fund balance policy. Piper Sandler stated that a simple change from a 40% reserve policy to a lesser number (such as 25%) is not likely to immediately result in a rating downgrade. Rather, concerns will come into play if the City continues to run an annual deficit which results in a projection of a declining fund balance falling below the policy requirement. One-time expenses also play a role as these count as discretionary spending which the City can control (CIP projects or one-time capital acquisitions). If the City plans to spend down fund balance, ensuring a financial plan/budget is created over the next 3 to 5 years indicating to what levels fund balance is expected to drop is important in continuing to maintain a strong financial rating and position.

Following discussion at the financial summit, the Board directed an alteration to the policy by requiring only 25% of General Fund operating expenditures to be held in fund balance.

**PREVIOUS ACTION:**

During the Board of Aldermen financial summit on May 25, the Board expressed interest in changing the City's General Fund reserve policy.

**POLICY OBJECTIVE:**

The intention in changing the policy was to maximize the City's existing cash-on-hand to better provide for public amenities and service delivery.

**FINANCIAL CONSIDERATIONS:**

Lowering the general fund reserve from 40% to 25%.

**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: Reserve Policy - Red-lined |                                   |

**AN ORDINANCE AMENDING THE RESERVE POLICY OF THE CITY OF SMITHVILLE**

**WHEREAS**, the City of Smithville, Missouri endorses sound financial policies and practices; and

**WHEREAS**, in September 2018, the Board of Aldermen revised the General Fund Reserve Policy as part of the Policy Manual; and

**WHEREAS**, it is essential that the City maintain adequate reserve in its major funds to continue to maintain the capacity to: (1) provide sufficient cash flow for daily financial needs, (2) secure and maintain investment grade bond ratings, (3) offset against significant economic downturns or revenue shortfalls, and (4) provide funds for unforeseen expenditures related to emergencies; and

**WHEREAS**, following review by staff, consultation with the City's financial advisor, and recommended action from the Board of Aldermen, it has been determined that adjusting the General Fund Reserve Policy from 40% of budgeted operating expenditures to 25% of budgeted operating expenditures is beneficial to the City's overall goals and strategy; and

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

The General Fund reserve policy (attached hereto) is hereby amended to be the Fund Reserve Policy and shall include guidelines for General Fund balance reserves and is in full force from and after its passage according to law.

PASSED THIS 2<sup>nd</sup> Day of August 2022

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Damien Boley, Mayor

ATTEST:

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Linda Drummond, City Clerk

First Reading: 07/19/2022

Second Reading: 08/02/2022

## **Title: Fund Balance Reserve Policy**

**Adopted: ~~September 18, 2018~~ July 19, 2022**

### PURPOSE:

The purpose of the Fund Reserve Policy is to provide guidelines to the Board of Aldermen and staff for establishing, maintaining and performing an annual review of the minimum and appropriate level for General Fund and Combined Water and Wastewater Systems Fund balance.

### BACKGROUND:

The Government Finance Officers Association (GFOA) recommends that governments establish a formal policy regarding the level of fund reserves that should be maintained to mitigate current and future risks such as revenue shortfalls, unanticipated expenditures, natural disasters and to ensure the ability for stable and acceptable rate changes.

A minimum unassigned fund reserve is generally considered a prudent and fiscally responsible policy to deal with unforeseen situation including but not limited to:

- Unfunded Federal, State or Other Mandates
- Revenue Shortfalls due to Economic Downturns or other unexpected conditions
- Expenses Incurred for Restoration of Service due to Weather Events or other Natural Disasters
- Credit rating agencies continually monitor the levels of unassigned fund balance when evaluating the creditworthiness and assigned a credit rating for debt issuance.

The City has established and approved a Fund Balance Reserve Policy where the City shall maintain a minimum unassigned fund balance equal to ~~forty~~ twenty-five percent (~~40%~~ 25%) of the General Fund budgeted expenditures for any given year.

The City has established and approved a Fund Balance Reserve Policy where the City shall maintain a minimum unassigned fund balance equal to twenty percent (20%) of the Combined Water and Wastewater Systems Fund budgeted expenditures for any given year.

Designation of an appropriate level for fund reserve is recommended for use as a financial planning tool in the budget process and with bond rating agencies.

### POLICY:

The City shall maintain a minimum General Fund reserves equal to ~~forty~~ twenty-five percent (~~40%~~ 25%) of the approved operating annual expense budget for

the fund for any given year. The City Shall maintain a minimum Combined Water and Wastewater Systems Fund reserve equal to twenty percent (20%) of the total approved operating and annual expense budget for the fund for any given year. The reserves shall be used when approved by formal Board of Aldermen action or under the following circumstances:

- Large one-time cost where use of reserves would provide long-term cost savings.
- To mitigate service impacts from significant revenue shortfall due to economic downturn or other unexpected loss of revenue.
- Restoration due to weather events or other natural disasters.
- Unexpected liabilities created by Federal, State or other mandates out of its control.

If in any fiscal year the Reserve Balance in either fund is required to be used or is not achieved, the City Administrator shall present to the Board of Aldermen a strategy to meet the Fund Reserve minimum reserve level within two (2) fiscal years.

Staff shall ensure that the provisions of this policy are effectively implemented. If it is determined that there is a conflict between this policy and other more specific governing policies involving the operating or capital improvement budgets, this shall be brought to the attention of the City Administrator who will determine the appropriate course of action.



## Board of Alderman Request for Action

**MEETING DATE:** 7/19/2022

**DEPARTMENT:** Development

**AGENDA ITEM:** Bill No. 2951-22, Rezoning Eagle Ridge Subdivision

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**REQUESTED BOARD ACTION:**

A motion to read Bill No. 2951-22 for First Reading by Title Only to rezone Eagle Ridge subdivisions commercial property from B-1P to B-3.

**SUMMARY:**

The ordinance would change the zoning to allow an office building for a Development and Construction company along with equipment and material storage which does not match the "professional office" designation in the current zoning district.

**BACKGROUND:**

The property is the B-1P commercial lot contained in the Eagle Ridge Subdivision that was initially rezoned from A-1 to R-1P, R-2P and B-1P in 2018 and located at 561 S. Commercial. The existing zoning was B-1P for the potential location of an office building. Upon request to develop the land and construct the office building, staff requested a full list of intended uses to verify zoning compliance. The plan was described that a 70' x 120' building would be constructed which would contain the offices of both a development company and its' sister construction company. It was also identified that the plan was to use some of the building for storage, including materials and equipment of the companies. Since the proposal was not for traditional professional offices (accountants, real estate, law, doctors, etc.) it was determined that the minimum zoning required was B-3. If approved, any future construction is subject to the newly revised site plan review ordinances.

**PREVIOUS ACTION:**

The B-1P zoned land was rezoned in 2018 for potential office uses.

**POLICY ISSUE:**

Complies with the Comprehensive Plan uses for the area.

**FINANCIAL CONSIDERATIONS:**

None

**ATTACHMENTS:**

☒ Ordinance

☐ Contract

☐ Resolution

☐ Plans

☒ Staff Report

☒ Minutes

☒ Other: Planning and Zoning meeting is available for viewing online

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

Applicant: ER Development, LLC

Land Use Proposed: B-3

Zoning: B-1P

Property Location: 561 S. Commercial 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 July 12, 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 transitional area with mix of various Multi-family districts to the east, west and south, with the ATT switching station also to the south, as well as B-3 uses further to the west and south. Commercial St. is the most significant north-south arterial street that serves from downtown to 169 near McDonalds.
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 maintaining the existing buffer vegetation in the area, with no significant changes to the existing uses.
3. *Adequacy of public utilities and other needed public services.*  
  
The property is currently accessible to all utilities.
4. *Suitability of the uses to which the property has been restricted under its existing zoning.*  
The property is vacant, undeveloped land. Given the grade differential to Commercial, most development has been unaffordable. The area is within 500 yards of the Eagle Ridge two family townhomes to the south and east, as well as the Mixed use zoned property to the north west that stretches from 169 to Commercial.
5. *Length of time the property has remained vacant as zoned.*

The property was zoned to the existing district classification in 2018, and was A-1 for its' entire time in the city limits.

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

The property is adjacent to a higher density residential areas to the south, east and west, with B-3 zoned land within 200 feet. 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.*

With proper buffering in the site plan review process, the only property that would be able to see the developable land is the single family property to the north on the 12.23 acre parcel. 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 July 12, 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-1P to B-3 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-3.



**BILL NO. 2951-22**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF SMITHVILLE, MISSOURI.**

**WHEREAS**, The City of Smithville received an application for rezoning 561 South Commercial on June 102, 2022; and

**WHEREAS**, the public was notified by publishing in the CT paper on June 23, 2022 and notices were mailed to adjoining property owners on June 27, 2022.

**WHEREAS**, a Public Hearing was conducted before the Planning Commission on July 12, 2022; and

**WHEREAS**, the rezoning is to change the zoning from B-1P to B-3; 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:

All that part of the south half of the northwest quarter of section 26, Township 53 North, Range 33 West, Smithville, Clay County, Missouri being described as follows:

Beginning at the Northwest corner of a tract of land Deeded to Southwestern Bell Telephone Company in Book 870 at page 186 said point lying on the east right of way line of Commercial Avenue; Thence N08°56'33"W, Along Said Right Of Way Line, A Distance Of 73.57 Feet; Thence Northerly, Continuing Along Said Line, Along A Curve To The Right Being Tangent To The Last Described Course, Having A Radius Of 900.00 Feet, An Arc Distance Of 192.35 Feet; Thence N03°18'11"E, Continuing Along Said Right Of Way Line, A Distance Of 116.63 Feet To A Point On The North Line Of The South Half Of Said Northwest Quarter; Thence S89°33'43"E, Along Said North Line, A Distance Of 250.00 feet; thence S00°79'71"W a distance of 381.27 feet; thence N00°41'81"W a Distance of 34.17 feet to the Northeast Corner of the tract recorded in Book 870 at page

186; thence along the north line of said tract to the point of beginning a distance of 200.51 feet.

Changed from B-1P to B-3

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: 07/21/2022

Second Reading / /



STAFF REPORT  
June 9, 2022

Rezoning of Parcel Id's# 05-905-00-10-001.00  
Application for Rezoning District Classification Amendment

Code Sections:

400.560.C Zoning District Classification Amendments

Property Information:

Address: 561 S. Commercial St.  
Owner: ER Development LLC  
Current Zoning: B-1P  
Proposed Zoning: B-3

Public Notice Dates:

1<sup>st</sup> Publication in Newspaper: June 23, 2022  
Letters to Property Owners: June 23, 2022

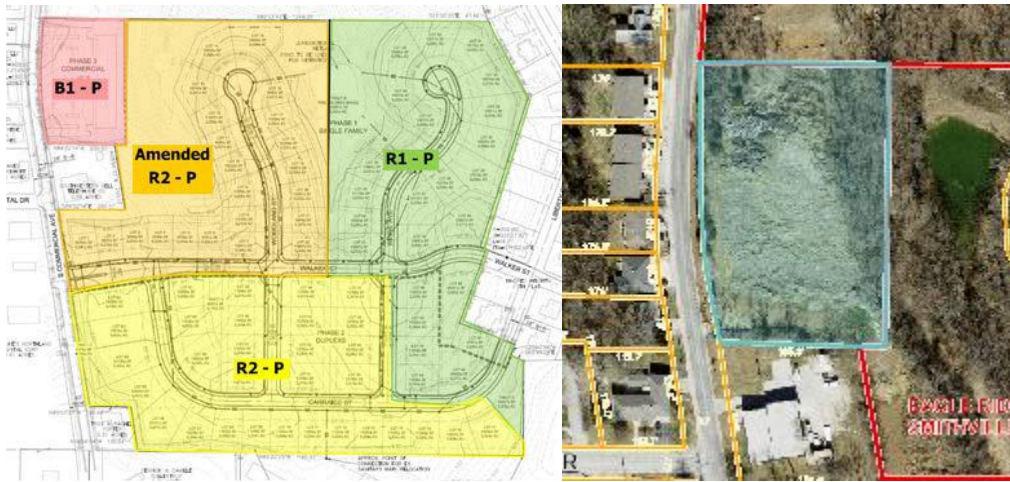
GENERAL DESCRIPTION



The applicant seeks to rezone the subject property to B-3 from B-1P. The property is currently a vacant parcel of ground. The applicant seeks to change the zoning to B-3, which would allow the use of the property for an office building for its construction and development companies, including an area for equipment and vehicles to be securely parked.

#### EXISTING ZONING:

The existing zoning is B-1P.



#### CHARACTER OF THE NEIGHBORHOOD *400.560.C.1*

The property is located near the B-3 zoned St. Luke's Hospital complex. The properties to the east and west are zoned for multifamily (R-2 and R-3 Districts) with the ATT switching station building immediately to the south. The property to the north is a single-family home on 12.23 acres of mostly wooded land.

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

The new Comprehensive Plan was approved on November 10<sup>th</sup>, 2020, and formally adopted as the policy of the City on November 17<sup>th</sup>, 2020. That plan calls for retaining the natural vegetative buffers surrounding the specific parcel, with no specific anticipated changes to the uses in the next 10 years.

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

The property is currently served with water along the property's boundary with Commercial St., and sewers are accessible to the south. All other utilities are available.

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

The current use is contained in the B-1P district. This district allows offices, including ones for contractors or developers but makes no allowances for storage of equipment and materials for those underlying office uses.

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

The property was zoned to the existing district classification in 2018, and was zoned A-1 prior.

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

The property is adjacent to two+ family zoning on the east, west and south, with the ATT switching station located immediately to the south. The southwest corner of Hospital Dr. and Commercial St. is the B-3 zoned Hospital complex, and just west of the R-3 properties along Commercial is more B-3 zoned property. With screening and landscape buffering imposed using the site plan review process, any potential negative impacts on the single family land to the north would be eliminated.

EXTENT WHICH THE AMENDMENT MAY DETRIMENTALLY AFFECT NEARBY  
PROPERTY *400.560.C.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-3 be approved.

Respectfully Submitted,

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Zoning Administrator



## Board of Alderman Request for Action

**MEETING DATE:** 7/19/2022

**DEPARTMENT:** Development

**AGENDA ITEM:** Resolution 1091, Final Plat Dibben's Estates Subdivision

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**REQUESTED BOARD ACTION:**

A motion to approve Resolution 1091 – Final Plat Dibben's Estates Subdivision.

**SUMMARY:**

The final plat would create two additional lots at the southwest corner of Amory Road and Virginia Avenue.

**BACKGROUND:**

This land was submitted for rezoning and a final plat at the June Planning and Zoning Commission meeting. The rezoning was recommended for approval and sent to the Board. The Board approved first reading of the rezoning ordinance at its June 21, 2022 meeting, and second reading approval is on the same agenda as this request. Approval of the second reading of Bill No. 2949-22 is a condition precedent to approval of the actual plat presented here.

The application sought to rezone land from A-1 to A-R, and if approved to subdivide the lot into 3 lots. The two new lots would have direct access onto Amory Road, and no city public utilities would be used. Staff recommended that the plat include dedication language that is similar to the language used in Lakeside Crossing to get those lots annexed, but in this case it would be to require that any future owners would agree to the creation of an improvement district to improve streets in the area in the future.

**PREVIOUS ACTION:**

The rezoning was First Read on June 21, 2022, and is on the agenda for Second reading on July 19, 2022. That rezoning approval is required to be completed prior to Final Plat approval.

**POLICY ISSUE:**

The Comprehensive Plan calls for low density residential (lots over 3 acres) in this area.

**FINANCIAL CONSIDERATIONS:**

None

**ATTACHMENTS:**

☐ Ordinance

☒ Resolution

☒ Staff Report

☐ Contract

☒ Plans

☐ Minutes

## **RESOLUTION 1091**

### **A RESOLUTION APPROVING A FINAL PLAT FOR DIBBEN'S ESTATES SUBDIVISION**

**WHEREAS**, the applicant submitted a rezoning and final plat application for approval to be heard by the Planning Commission on June 14, 2022.

**WHEREAS**, the items were advertised in the Courier Tribune newspaper and notices were sent to adjoining landowners on May 26, 2022; and;

**WHEREAS**, the Planning Commission recommended approval of the proposed Final Plat with the condition that the staff conditions of dedication language changes and Parks Fees in the amount of \$1,875.00 be paid prior to releasing the plat for recording, and;

**WHEREAS**, the subject property on Lot 1, Ada's Estates subdivision was given approval for rezoning by second reading of Bill No. 2949-22 by the Board of Aldermen on July 19, 2022, that was a condition precedent to this Final Plat Approval, and;

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

**THAT THE FINAL PLAT OF DIBBENS ESTATES SUBDIVISION IS HEREBY  
APPROVED WITH THE FOLLOWING CONDITIONS:**

**THE PLAT SHALL NOT BE RELEASED FOR RECORDING UNTIL ALL  
CONDITIONS OF PAYMENT OF PARK FEES IN THE AMOUNT OF  
\$1,875.00 AND THE PLAT DEDICATION LANGUAGE IS CORRECTED IN  
ACCORDANCE WITH STAFF'S RECOMMENDATIONS.**

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 19<sup>th</sup> day of July, 2022.

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Damien Boley, Mayor

ATTEST:

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Linda Drummond, City Clerk



June 14, 2022

Single Phase Final Plat for Clay County Parcel Id # 09-302-00-02-013.00

Application for a Plat Approval – Dibben’s Estates Final Plat– 3 lots

Code Sections:

425.285.A.4

Single Phase Final Plat Approval

Property Information:

Address: 13916 N. Virginia Ave.  
 Owner: Bradley & Marjorie Dibben  
 Current Zoning: A-1 (simultaneous application for A-R)

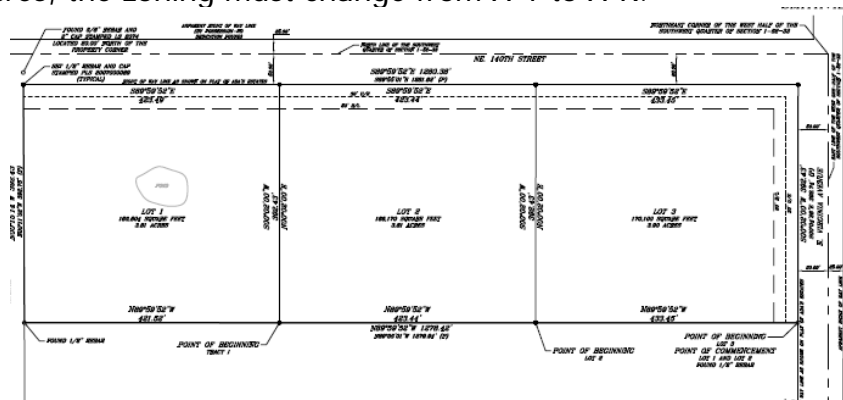
Public Notice Dates:

1st Publication in Newspaper: May 26, 2022

Letters to Property Owners w/in 185': May 26, 2022

#### GENERAL DESCRIPTION:

The property is currently Lot 1, Ada’s Estates and contains a single-family home on 11.52 acres. This Final Plat would divide the existing lot into a total of 3 lots, each of which is approximately 3.81 acres. Approval of this plat is conditional to the zoning amendment request simultaneously submitted. To have a lot less than 10 acres, the zoning must change from A-1 to A-R.





GUIDELINES FOR REVIEW – SINGLE PHASE SUBDIVISION FINAL PLATS See 425.285.A.4

The Planning Commission shall consider the following criteria in making a recommendation on the plat:

a. The plat conforms to these regulations and the applicable provisions of the Zoning Ordinance and other land use regulations. ***Yes, the layout complies with zoning and subdivision requirements.***

b. The plat represents an overall development pattern that is consistent with the goals and policies of the Comprehensive Plan. ***The Development pattern is similar to the existing zoning on the property and complies with the Comprehensive plan density for N. Virginia.***

c. The development shall be laid out in such a way as to result in:

(1) Good natural surface drainage to a storm sewer or a natural watercourse. ***The property naturally drains to the north and to the east, depending upon the exact location. The existing road ditches on both Virginia and Amory are sufficient to handle any additional runoff created by a new home.***

(2) A minimum amount of grading on both cut or fill and preservation of good trees and other desirable natural growth. ***Again, grading of the development is limited to level the areas in the lots to account for a new home. Existing trees are generally in the drainage area that leads to Amory.***

(3) A good grade relationship with the abutting streets, preferably somewhat above the street. ***Each lot will have access to Amory, and the land slopes down to the streets.***

(4) Adequate lot width for the type or size of dwellings contemplated, including adequate side yards for light, air, access, and privacy. ***Yes.***

(5) Adequate lot depth for outdoor living space. ***N/A.***

(6) Generally regular lot shapes, avoiding acute angles. ***Yes.***

(7) Adequate building lots that avoid excessive grading, footings, or foundation walls. ***Yes.***

d. The plat contains lot and land subdivision layout that is consistent with good land planning and site engineering design principles. ***Yes.***

e. The location, spacing and design of proposed streets, curb cuts and intersections are consistent with good traffic engineering design principles. ***There are no new public roadways needed. This plat will have a condition placed in its dedications that requires the lot owner to join and specifically not oppose the creation of a district to improve the roads in the future. Given the extremely limited impact upon the existing roads, Staff considers this dedication sufficient to protect the city in the event that major road upgrades are needed in the future.***

f. The plat is served or will be served at the time of development with all necessary public utilities and facilities, including, but not limited to, water, sewer, gas, electric and telephone service, schools, parks, recreation and open space and libraries. ***Yes, the land is currently served by all utilities (septic systems) and any service line extension will be triggered with a building permit.***

g. The plat shall comply with the stormwater regulations of the City and all applicable storm drainage and floodplain regulations to ensure the public health and safety of future residents of the subdivision and upstream and downstream properties and residents. The Commission shall expressly find that the amount of off-site stormwater runoff after development will be no greater than the amount of off-site stormwater runoff before development. ***The proposed development meets this standard.***

h. Each lot in the plat of a residential development has adequate and safe access to/from a local street. ***N/A***

i. The plat is located in an area of the city that is appropriate for current development activity; it will not contribute to sprawl nor to the need for inefficient extensions and expansions of public facilities, utilities and services. ***Yes.***

j. If located in an area proposed for annexation to the City, the area has been annexed prior to, or will be annexed simultaneously with plat approval. ***Annexed.***

k. The applicant agrees to dedicate land, right-of-way, and easements, as may be determined to be needed, to effectuate the purposes of these regulations and the standards and requirements incorporated herein. ***Yes, the plat includes the required dedications, and a Park fees are required as a condition of approval of any plat.***

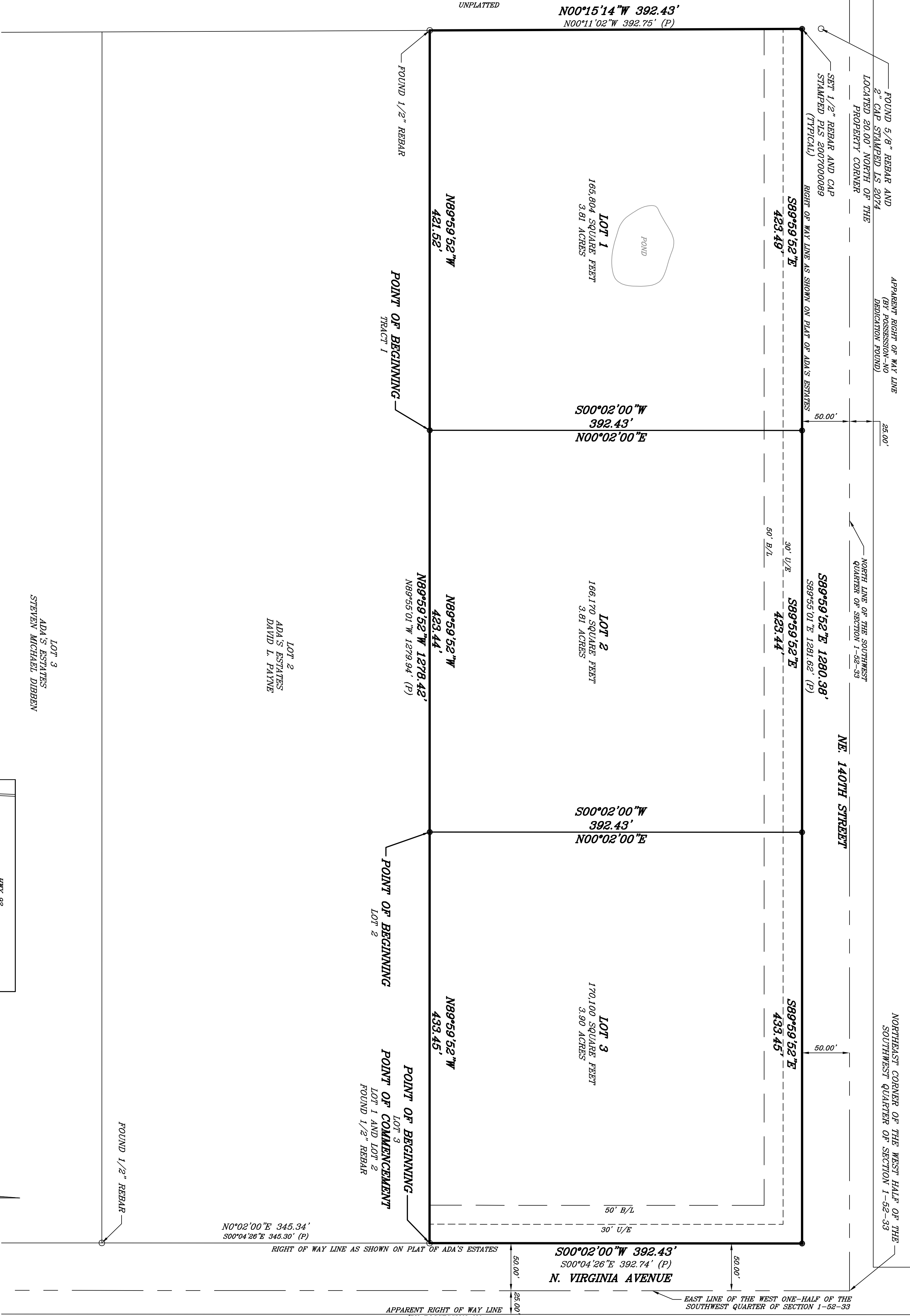
l. All applicable submission requirements have been satisfied in a timely manner. ***Yes.***

m. The applicant agrees to provide additional improvements, which may include any necessary upgrades to adjacent or nearby existing roads and other facilities to current standards and shall include dedication of adequate rights-of-way to meet the needs of the City's transportation plans. **The development needs no current additional improvements except the plat dedication language concerning improvement districts.**

#### STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Final Plat based upon adherence to the conditions contained in this report.

DIBBEN'S ESTATES  
A REPLAT OF LOT 1, ADA'S ESTATES  
A SUBDIVISION IN SECTION 1, TOWNSHIP 52 NORTH, RANGE 33 WEST  
SMITHVILLE, CLAY COUNTY, MISSOURI



PROPERTY DESCRIPTIONS

PARENT PARCEL:  
LOT 1, ADA'S ESTATES, A SUBDIVISION IN SECTION 1, TOWNSHIP 52 NORTH, RANGE 33 WEST, SMITHVILLE, CLAY COUNTY, MISSOURI

LOT 1  
CONTAINING 165,804 SQUARE FEET OR 3.81 ACRES

ALL THAT PART OF LOT 1, ADA'S ESTATES, A SUBDIVISION IN SECTION 1, TOWNSHIP 52 NORTH, RANGE 33 WEST, SMITHVILLE, CLAY COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE N89°59'52\"W ALONG THE SOUTHERLY LINE OF SAID LOT 1, A DISTANCE OF 466.89 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE N89°59'52\"W CONTINUING ALONG THE SOUTHERLY LINE OF SAID LOT 1, A DISTANCE OF 421.52 FEET TO THE SOUTHWESTERLY CORNER SAID LOT 1; THENCE N00°15'14\"W ALONG THE WESTERLY LINE OF SAID LOT 1, A DISTANCE OF 392.43 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 1; THENCE S89°59'52\"E ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 423.49 FEET TO THE POINT OF BEGINNING.

LOT 2  
CONTAINING 166,170 SQUARE FEET OR 3.81 ACRES

ALL THAT PART OF LOT 1, ADA'S ESTATES, A SUBDIVISION IN SECTION 1, TOWNSHIP 52 NORTH, RANGE 33 WEST, SMITHVILLE, CLAY COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE N89°59'52\"W ALONG THE SOUTHERLY LINE OF SAID LOT 1, A DISTANCE OF 433.49 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE N89°59'52\"W CONTINUING ALONG THE SOUTHERLY LINE OF SAID LOT 1, A DISTANCE OF 433.44 FEET TO THE NORTHWESTERLY CORNER SAID LOT 1; THENCE N00°15'14\"W ALONG THE WESTERLY LINE OF SAID LOT 1, A DISTANCE OF 392.43 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 1; THENCE S89°59'52\"E ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 423.44 FEET TO THE POINT OF BEGINNING.

LOT 3  
CONTAINING 170,100 SQUARE FEET OR 3.90 ACRES

ALL THAT PART OF LOT 1, ADA'S ESTATES, A SUBDIVISION IN SECTION 1, TOWNSHIP 52 NORTH, RANGE 33 WEST, SMITHVILLE, CLAY COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE N89°59'52\"W ALONG THE SOUTHERLY LINE OF SAID LOT 1, A DISTANCE OF 433.45 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE N89°59'52\"W CONTINUING ALONG THE SOUTHERLY LINE OF SAID LOT 1, A DISTANCE OF 433.44 FEET TO THE NORTHWESTERLY CORNER SAID LOT 1; THENCE N00°15'14\"W ALONG THE WESTERLY LINE OF SAID LOT 1, A DISTANCE OF 392.43 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 1; THENCE S89°59'52\"E ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 423.45 FEET TO THE POINT OF BEGINNING.

BOUNDARY SURVEY NOTES:

1. THE DESCRIPTIONS USED FOR THIS SURVEY WERE DERIVED FROM THE PLAT OF ADA'S ESTATES  
2. THE BEARINGS SHOWN HEREON ARE BASED ON NAD 84(2011) EPOCH 2010.00 ADJUSTMENT UTILIZING THE MODOT RTN NETWORK

3. THIS SURVEY IS BASED UPON RECORD DOCUMENTS, LEGAL DESCRIPTIONS, AND OTHER INFORMATION FURNISHED BY THE CLIENT PLUS OTHER INFORMATION KNOWN TO THIS SURVEYOR. THIS SURVEYOR HAS NO KNOWLEDGE OF ANY OTHER RECORD DOCUMENTS WHICH AFFECT THE SUBJECT REAL ESTATE.

6. THIS SURVEY MEETS OR EXCEEDS THE ACCURACY STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS DEFINED BY THE MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

7. ACCORDING TO THE FLOOD INSURANCE RATE MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY PANEL NUMBER 106 OF 350, MAP NUMBER 59627T00E, EFFECTIVE DATE, AUGUST 3, 2015, THE SUBJECT PROPERTY IS IN ZONE X AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD.

PLAT DEDICATION:

THE UNDERSIGNED PROPRIETORS OF THE ABOVE DESCRIBED TRACT OF LAND HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT, WHICH SUBDIVISION SHALL BE HEREAFTER KNOWN AS:

"DIBBEN'S ESTATES, A REPLAT OF LOT 1, ADA'S ESTATES"

THE UNDERSIGNED PROPRIETORS OF THE LAND HEREIN SUBDIVIDED, AS WELL AS THEIR HEIRS, PERSONAL REPRESENTATIVES, SUCCESSORS OR ASSIGNS DO, IN EXCHANGE FOR NOT COMPLETING STREET IMPROVEMENTS TO ALL ADJOINING STREETS PRIOR TO RECORDING THIS PLAT, HEREBY AGREE TO JOIN ANY DISTRICT OR OTHER ENTITY FOR OPPOSE ANY SUCH EFFORTS TO IMPROVE THE ADJACENT STREETS. SUCH OBLIGATION IS INTENDED TO STIMULATE THE SALE OF LOTS FROM THE ORIGINAL OWNER OR ANY SUCCESSOR OWNERS AND INCLUDES THE OBLIGATION TO VOTE APPROPRIATELY IF A VOTE IS EXTENDED TO CREATE OR FUND A DISTRICT FOR ROAD IMPROVEMENT PURPOSES.

IN WITNESS WHEREOF:

OWNERS: BRADLEY W. AND MARJORIE K. DIBBEN HAS CAUSED THESE PRESENTS TO BE SIGNED  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2022.

BRADLEY W. DIBBEN  
OWNER  
MARJORIE K. DIBBEN  
OWNER

STATE OF MISSOURI )  
COUNTY OF \_\_\_\_\_ ) SS.

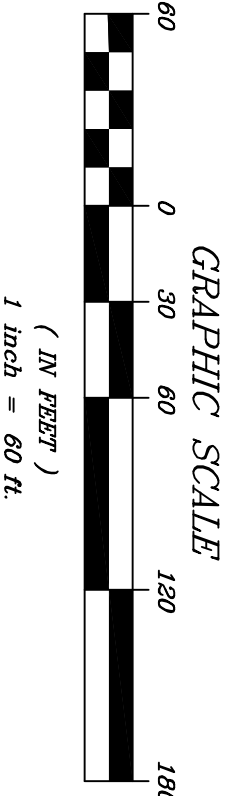
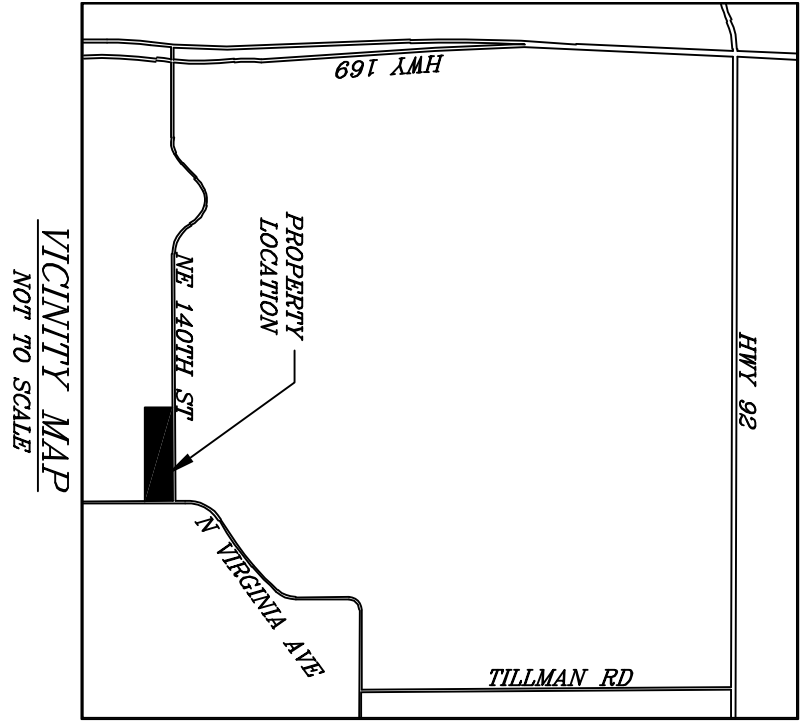
BE IT REMEMBERED THAT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, CAME BRADLEY W. AND MARJORIE K. DIBBEN, TO ME PERSONALLY KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGED THE EXECUTION OF SAME. IN TESTIMONY WHEREOF, I HAVE HEREONTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL, THIS DAY AND YEAR ABOVE WRITTEN.

IN TESTIMONY WHEREOF I HAVE HEREONTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2022.

MY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC

APPROVED BY THE CITY OF SMITHVILLE COMMUNITY DEVELOPMENT DIRECTOR

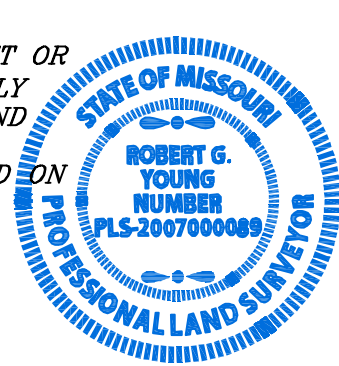
JACK HENDRIX  
DATE



SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT WE HAVE MADE A SURVEY OF THE PREMISES HEREIN DESCRIBED WHICH MEET OR EXCEED THE CURRENT "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" AS JOINTLY ESTABLISHED BY THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, DIVISION OF GEOLOGY AND LAND SURVEY AND THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS, AND THAT THE RESULTS OF SAID SURVEY ARE REPRESENTED ON THIS DRAWING TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

ROBERT G. YOUNG, PLS-2007000089  
DATE 07/13/2022







## Board of Alderman Request for Action

**MEETING DATE:** 7/19/2022

**DEPARTMENT:** Parks and Recreation

**AGENDA ITEM:** Appointment of Parks and Recreation Committee Member

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**REQUESTED BOARD ACTION:**

The Mayor will make the nomination of Hailey Kellerstrass to the Parks and Recreation Committee and the Board will vote.

**SUMMARY:**

The Board of Aldermen is required to appoint a member to serve on the Parks and Recreation Committee.

Section 155.100 of the Code of Ordinances, requires the Board of Aldermen to nominate and appoint a representative to the Parks and Recreation Committee. The process is similar to the appointment of Mayor Pro-Tem.

**PREVIOUS ACTION:**

**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 type="checkbox"/> Resolution               | <input type="checkbox"/> Plans    |
| <input type="checkbox"/> Staff Report             | <input type="checkbox"/> Minutes  |
| <input checked="" type="checkbox"/> Other: Resume |                                   |

# HAILEY KELLERSTRASS

+816-439-4396 | hkellerstrass@libertymo.gov | Liberty, MO 64068



## PROFESSIONAL ACCOMPLISHMENTS

- Secured \$60,000 in additional funding for Liberty Meals on Wheels program through grant writing and letter campaign in 2020.
- Increased visibility of Liberty Meals on Wheels program by coordinating publicity with local television news channel and local newspaper.
- Assisted in raising over \$63,000 to served over disadvantaged 880 children, 350 families, and 105 seniors through coordinated efforts during the 2021 Liberty Community Christmas Tree season.



## PROFESSIONAL INVOLVEMENT

### Certifications

- MARC Home Delivered Meal Assessor
- Meals on Wheels America Leadership Certification
- Youth Mental Health First Aid Certification

### Conferences

- Age Positive | 2017-2019
- Meals on Wheels America | 2017
- Meals on Wheels America **Presenter** | 2018
- ServTracker | 2019 & 2020
- Missouri Parks & Recreation **Presenter** | 2020

### Community Involvement

- Age Positive Conference Committee,
  - Since 2017
- Liberty Sertoma Club
  - Member, Jan. 2018
  - Secretary, July 2018- June 2019
  - Secretary + President Elect, July 19-June 20
  - President + Secretary, July 20-June 21
  - Chairwoman, July 22 - Present
- Northland Professionals in Aging
  - Since 2017



## EDUCATION

*Northwest Missouri State University | Maryville, MO*

### **Masters of Science: Applied Health Science Management Emphasis**

*May 2015 | GPA: 3.9/4.0*

### **Bachelor of Science in Recreation Management | Minor in Coaching**

*August 2013 | GPA: 3.8/4.0*



## EXPERIENCE

### **Community Services Manager**

*Liberty Parks & Rec | April 2018 - Present*

- Promoted after 14 months; continue to perform Community Services coordinator duties as assigned.
- Oversee operations of Liberty Silver Center and Liberty Access Bus by supervising 3 full time and 4 part-time staff and managing a budget of \$350,00.
- Provide guidance and support on grant writing, staffing, program oversight, monthly and quarterly reports to MARC, CCSS, KCATA and others.

### **Community Services Coordinator**

*Liberty Parks & Rec | Feb. 2017 - April 2018*

- Develop, coordinate, and promote the volunteer, Liberty Community Christmas Tree, and Meals on Wheels programs.
- Serve as staff liaison/secretary on Liberty Community Christmas Tree Commission as well as Liberty Meals on Wheels Board.
- Capitalize on relationships developed with community and volunteer groups, businesses, and senior agencies to refer seniors to resources.



# EXPERIENCE CONTINUED

## **Site Supervisor/Official/Volunteer Coach**

*YMCA of Greater Kansas City | Feb. 2016 - Feb. 2017*

- Provided Sports Director input on staffing and programming decisions to continually improve services.
- Opened and closed facilities around Greater KC area; took steps to ensure rules were being adhered to.
- Conducted and relayed all accident/incident reports or facility damage immediately to the proper staff.
- Frequently praised by parents for demonstrating an enthusiastic attitude, genuine concern and passion.
- Officiated assigned sport taking into account age and ability of participants to facilitate an encouraging learning environment.

## **Membership Representative**

*YMCA of Greater Kansas City | Oct. 2015 - Feb. 2017*

- Took swift and appropriate action to handle safety sensitive issues and injuries.
- Trained tour leader who educated potential members on services, programs, events, and volunteer opportunities. Received praise from the District Vice President and Senior President of Membership Engagement after successfully giving a “secret shopper” tour of the facility.
- Greeted members, participants, and the general public and answered questions in a professional manner.

## **Instructor**

*Go Ape! | March 2016 - Oct. 2016*

- One of three employees selected for Duty Manager Training based on leadership qualities demonstrated during first few months of employment. Conducted pre-use course checks and inspections.
- Instructed and briefed guests in safety procedures at country’s top rated zip line and treetop adventure and properly fit and checked PPE each time it was issued.
- Patrolled course and monitored participants to make certain they were safely conducting themselves and performed crossing assists at height where necessary. Trained in rope rescue operations.
- Performed regular inspections on PPE such as (sit and full body harnesses, pulleys, trolleys, carabiners, and climbing rope.

## **Lab Facilitator**

*William Jewell College | July 2015 - Oct. 2016*

- Challenged groups ranging from high school athletes to community groups to develop their leadership skills and overcome fears as they safely participated on a climbing tower and ropes course.
- Facilitated ice breakers, initiatives and debriefs for a variety of groups.

## **Positions Held While Attending College**

*Northwest Missouri State University | June 2010 - August 2015*

- Facilitator/Grad Assistant | Mazingo Outdoor Education Recreation Area
- Graduate Assistant | Student Recreation and Intramurals
- Ticket Office Student Supervisor | Northwest Athletics
- Assistant to Director of Compliance and Office Manager | Northwest Athletics

## **Intern**

*Mid America Intercollegiate Athletics Association | Spring 2013*



## Board of Alderman Request for Action

**MEETING DATE:** 7/19/2022

**DEPARTMENT:** Administration

**AGENDA ITEM:** Reappointment of Parks and Recreation Committee Member

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**REQUESTED BOARD ACTION:**

The Mayor will make the nomination of Dani Wilson to continue on the Parks and Recreation Committee and the Board will vote.

**SUMMARY:**

In accordance with Section 400.650 of the Code of Ordinances states that the Board of Aldermen must vote on whether to approve the Mayor's recommended appointment.

The reappointment of this term expires in October of 2025.

**PREVIOUS ACTION:**

**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 type="checkbox"/> Resolution   | <input type="checkbox"/> Plans    |
| <input type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes  |
| <input type="checkbox"/> Other:       |                                   |



## Board of Alderman Request for Action

**MEETING DATE:** 7/19/2022

**DEPARTMENT:** Administration

**AGENDA ITEM:** Adjournment to Executive Session Pursuant to Section 610.021(1 & 2) RSMo.

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**REQUEST BOARD ACTION:**

A motion to close the regular session for the purpose of discussing legal and real estate matters pursuant to Section 610.021(1 & 2) RSMo.

**SUMMARY:**

To allow the Board of Aldermen to adjourn to Executive Session to discuss legal and real estate matters.

**PREVIOUS ACTION:**

N/A

**POLICY ISSUE:**

The Board of Alderman will vote to close the Board of Alderman Regular Session Pursuant Section 610.021(1 & 2) RSMo.

**FINANCIAL CONSIDERATIONS:**

Click or tap here to enter text.

**ATTACHMENTS:**

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

- ☐ Contract
- ☐ Plans
- ☐ Minutes