



City of Smithville, Missouri
Board of Aldermen – Regular Session Agenda
January 4, 2022

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

Anyone who wishes to view the meeting may do so in real time as it will be streamed live on the city's FaceBook page through FaceBook Live.

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

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Consent Agenda**
 - **Minutes**
 - December 21, 2021, Board of Alderman Work Session Minutes
 - December 21, 2021, Board of Alderman Regular Session Minutes
 - **Resolution 1011, Prisoner Housing Agreement with Clay County**
A Resolution authorizing the Mayor to enter into a Prisoner Housing Agreement with Clay County.
 - **Resolution 1012, Awarding Bid No. 22-05, Woods Court Lift Station**
A Resolution awarding Bid No. 22-05 for the Woods Court Lift Station to Mid-America Pump in the amount of \$28,576.05.
 - **Resolution 1013, Appointment – Alternate Prosecuting Attorney**
A Resolution to approve the appointment of Shannon J. Ryser as Alternate City Prosecutor.

REPORTS FROM OFFICERS AND STANDING COMMITTEES

4. **City Administrator's Report**

OTHER MATTERS BEFORE THE BOARD

5. **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.
6. **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.

7. Election of Mayor Pro-Tem

Aldermen will make nominations of Board members for the position of Mayor Pro-Tem.

8. Swear in new Alternate Prosecuting Attorney, Shannon J. Ryser

Alternate Prosecuting Attorney, Shannon J. Ryser to be sworn into office by City Clerk, Linda Drummond.

9. Adjourn

Join Zoom Meeting

<https://us02web.zoom.us/j/84483197601>

Meeting ID: 844 8319 7601

Passcode: 097144





Board of Alderman Request for Action

MEETING DATE: 1/4/2022

DEPARTMENT: Administration

AGENDA ITEM: Consent Agenda

REQUESTED BOARD ACTION:

The Board of Aldermen can review and approve by a single motion. Any item can be removed from the consent agenda by a motion. The following items are included for approval:

- December 21, 2021 Board of Alderman Work Session Minutes
- December 21, 2021 Board of Alderman Regular Session Minutes
- Resolution 1011, Agreement with Clay County – Prisoner Housing
- Resolution 1012, Awarding Bid No. 22-05, Woods Court Lift Station
- Resolution 1013, Appointment – Alternate Prosecuting Attorney

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:

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

SMITHVILLE BOARD OF ALDERMAN

WORK SESSION

December 21, 2021, 6:00 p.m.
City Hall Council Chambers

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

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

1. Call to Order

Mayor Boley, present via Zoom, called the meeting to order at 5:59 p.m. A quorum of the Board was present via Zoom meeting: Kelly Kobylski, Dan Ulledahl, John Chevalier, Dan Hartman and Marv Atkins. Steve Sarver resigned earlier today due to personal obligations.

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

2. Discussion Stormwater Management Plan

Gina Pate, Management Analyst presented the Stormwater Management Plan 2021-2026.

Timeline

March 2021 - There was an opportunity for public comment on the MOR04C Permit Application

April 2021 - Submitted the MOR04C Permit Application

November 2021 - New permit was distributed from MO DNR, published Stormwater Management Plan for public comment

December 2021 - Adopt Stormwater Management Plan pending Board approval

February 2022 - Submit 2021 Annual Report to MO DNR

In March, there was a public information meeting about the new MS4 permit application.

In April, Public Works Director Chuck Soules submitted the MOR04C Permit application.

This a comprehensive permit that will have annual reports.

In November, the new permit was distributed, and we published the stormwater management plan on FaceBook, Nextdoor, and the city's website for public comment. We did not receive any virtual public comment, but we will keep seeking feedback.

Tonight, there is a resolution to adopt the stormwater management plan

In February, we will be submitting an annual report for 2021 – this will include any common issues, outreach, room for improvement.

What is Stormwater?

Stormwater is the water that originates during precipitation events, and snowmelt. Stormwater that does not soak into the ground becomes surface runoff, which either flows directly into surface waterways or is channeled into storm sewers, ultimately entering surface waters.

Stormwater is of concern for two main issues:

- Flood control and water supplies
- Water pollution



Stormwater occurs when there is precipitation events and snowmelt. The water that does not get absorbed during the event will become surface runoff that enters our storm sewers. These storm sewers enter local waterways. The importance of the storm sewers is to help control flooding and also water pollution.

What is a Stormwater Management Plan?

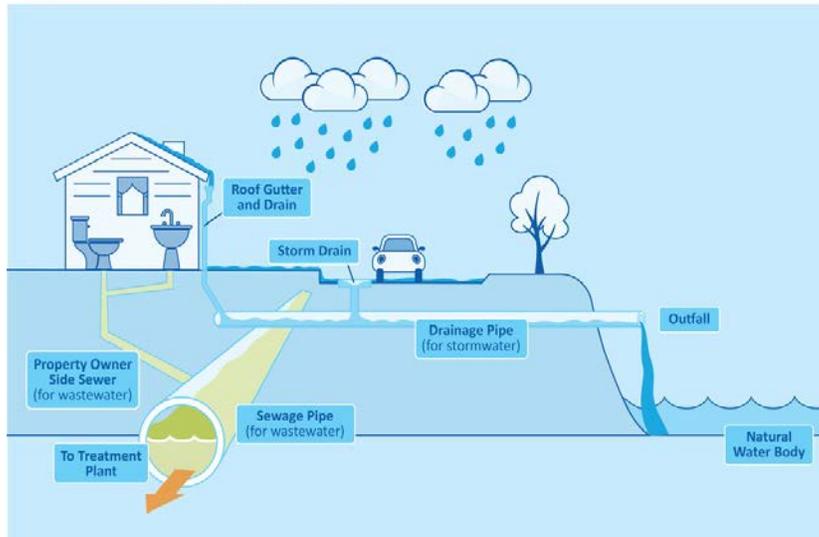
National and state stormwater regulations require certain small communities to obtain a National Pollutant Discharge Elimination System (NPDES) permit.

Phase II regulations expanded the program to include communities as determined by population size, and land disturbance on one acre or greater. The City of Smithville is affected by Phase II Stormwater regulation, Smithville first applied for a permit in 2013.

The new permit for 2021- 2026 requires that communities with regulated Municipal Separate Storm Sewer Systems (MS4s) develop a stormwater management program.

Since flooding and water pollution is a concern, there are national and state regulations. Smithville must have a MS4 permit due to our population size and land disturbance on once acre of more. We first applied for a MS4 permit in 2013. The new permit requires communities to develop a stormwater management plan to help address issues.

SEPARATED SYSTEM



The picture shows the municipal separate storm sewer systems. When you flush your toilet or run water down the drain, we have a separate sewage pipe for wastewater that goes to the treatment plant.

When we have storm drains that take runoff into a drainage pipe and the outfall goes into a creek or stream. That is why it is important to pay attention to what is on the ground, because if there is something such as oil on the ground it is entering our local waterways that is not being treated.

Stormwater does not receive ANY treatment before entering our waterways. This can lead to pollution and blockage which can lead to flooding in areas.

The MS4 program has six elements termed "minimum control measures" (MCM) which when implemented, the control measures should result in a significant reduction in pollutants discharged into receiving waters.

The six MCMs are outlined below:

1. Public Education and Outreach
2. Public Participation / Involvement
3. Illicit Discharge Detection and Elimination
4. Construction Site Runoff Control
5. Post-Construction Runoff Control
6. Pollution Prevention / Good Housekeeping

As part of the Stormwater management plan, there are minimum control measures that should help result in a reduction of pollutants when implemented. There are 6 MCMs which I will cover in the following slides in a little bit more detail.

The picture shows the decals that will be placed on the storm drains to remind the community that dumping materials into the storm sewer will go directly to water bodies.



MCM Overview

1. Public Education and Outreach
Implement a public education program to distribute educational materials to the community. Target audiences: residents, local government, and developers
Currently in compliance
2. Public Participation
Implement a comprehensive public participation program that provides opportunities for public participation in the Stormwater Management Program.
Currently in compliance
3. Illicit Discharge Detection and Elimination
Wastewater other than those consisting entirely of stormwater are considered "illicit discharges" except for discharges permitted under other state operating permits of directly from firefighting activities.
Must develop a program to develop and eliminate such discharges.
One year to be in compliance

Gina noted that staff will be developing an Ordinance for enforcement procedures on illicit discharge detection and elimination to bring forward to the Board for approval. Once the enforcement procedures are developed staff will be reaching out to the public for input and comments.

Public Education and Outreach is the first MCM

The goal of this measure is to implement a public education program to distribute educational materials to the community.

The target audiences that have been selected are residents, local government, and developers.

It is important for us to be a targeted audience since we should lead by example to the community for when we are washing out trucks and dealing with debris.

We have developed a stormwater management page on the website, publishing "did you know" posts, and including stormwater tips in the newsletter that coincide with the seasons.

Public Participation

Implement a public participation program.

Gave the opportunity for public input and will continue to ask for public input.

There is now a stormwater "concern" on the report-a-concern.

Illicit Discharge Detection and Elimination.

Wastewater other than stormwater is considered an "illicit discharge."

We currently do not have a program in place to detect or respond to this, so that will be one of the action steps for 2022.

Gina noted that one of the questions we received was how do HOAs get involved? She said that is a great way to help educate the public by educating their neighborhood about what to do with leaf litter, draining their pools, washing the cars, etc. She said staff would work on education materials to give to the HOAs and they could also reach out to Chuck Soules, Public Works Director or her and they would be happy to meet with them and brainstorm different ways to help HOA be involved because the more people involved the better it will be for the city.

4. Construction Site Runoff Control

The MS4 Operator shall develop, implement, and enforce a program to reduce pollutants in any stormwater runoff to their MS4 from construction activities that result in land disturbance of greater than or equal to one acre.

One year to compliance

Gina noted that currently the runoff is set at three acres or greater to have erosion control and stormwater prevention, but this is going to now be one acre, so that is a big difference going from three acres to one acre.

5. Post - Construction Runoff Control

The MS4 Operator shall continue or develop, implement, and enforce a program to address the quality of long-term stormwater runoff from new development and redevelopment projects that disturb equal to and greater than one acre, including projects less than one acre that are part of a larger common plan of development or sale that would disturb one acre or more and that discharge into the regulated MS4.

Two years to compliance

6. Pollution Prevention / Good House Keeping

Develop and implement an operation and maintenance program that includes a training component with the ultimate goal of preventing or reducing pollutant runoff from municipal operations.

One year to compliance

- Construction Site Runoff Control
 - Develop a review procedure for pre-construction plans and enforcement procedures.
- Post – Construction Runoff Control
 - Develop an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects.
 - Ordinance will include enforcement procedures
- Pollution Prevention / Good House Keeping
 - Develop a training program for city staff

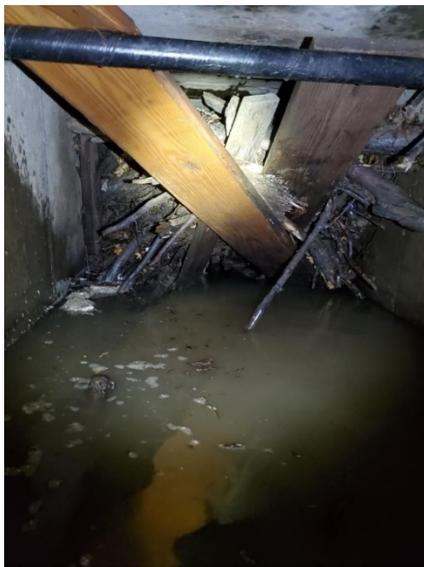
- Develop standard operating procedures for disposal of waste and washing municipal vehicles/equipment

SWMP Next Steps

Staff has developed an action plan to be in compliance with the MS4 Permit.

Key Implementation Steps:

- Continue to post educational materials in the quarterly newsletters, social media, and website
- Continue to use checklists for pre-construction, construction, and post-construction to determine if proper stormwater controls are in place
- Develop a Stormwater Ordinance that has enforcement procedures
- Training for employees



The pictures show an example of why developing an ordinance and educating the public about stormwater drains is important. This is a stormwater culvert that Ace recently cleaned out and it was filled with debris. When storm drains become blocked like this, it can lead to flooding and standing water. These kind of materials should not be in a storm drain.

To accompany the stormwater management plan, there is an action plan to help the city become in compliance with the new permit. The actions will be tracked and updated in the annual reports. This type of plan uses adaptive management so each year we will review the plan and make necessary changes to reflect the current needs of the community.

Chuck noted that moving forward, staff will be outlining what the plan is going to include. He said that concerning enforcement, staff will work with the contractors, developers or property owners educating them first on what they need to be doing and explaining what they are doing wrong. Work with them to make sure that it gets corrected and giving them ample opportunity make the

corrections and not let it continue to happen. It will not be a strict type of enforcement until someone blatantly continues to not follow the rules.

Chuck reiterated that information will be posted on the website and on social media. He said that if there is an HOA that is interested in having staff come and speak at their meetings, they would be more than happy to do that. He noted that the more people understand the rules and what it takes to follow them the easier it will be for all to make sure that the rules are followed.

He said that Gina did a great job presenting this tonight and explained that this is not the end, it is just the beginning. We are just beginning to establish this and would like to have more input from HOAs, contractors, developers and neighbors. For the developers it will help educate them on the importance of the silt fence and the gutter buddies to make sure the dirt and debris does not end up in our storm sewers and streams. That way we do not have to spend the \$45,000 to clean out the storm drain box like we have to tonight during the regular meeting. He noted that on the Main Street Trail we had to replace five crossroad pipes that was very expensive. This is an expense that city's have to pay for.

3. Adjourn

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared the Work Session adjourned at 6:46 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor

**SMITHVILLE BOARD OF ALDERMEN
REGULAR SESSION**

December 21, 2021, 7:00 p.m.
City Hall Council Chambers

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

Mayor, Aldermen, and staff attended via Zoom meeting. The meeting was streamed live on the city's Facebook page. Attendance in person by members of the public was not permitted.

1. Call to Order

Mayor Boley, present via Zoom, called the meeting to order at 7:00 p.m. A quorum of the Board was present via Zoom meeting: John Chevalier, Marv Atkins, Dan Hartman, Kelly Kobylski and Dan Ulledahl. Steve Sarver resigned earlier today due to personal obligations.

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

2. Pledge of Allegiance led by Mayor Boley

3. Consent Agenda

- **Minutes**
 - December 7, 2021, Joint School Board/Board of Alderman Meeting Minutes
 - December 7, 2021, Board of Alderman Regular Session Minutes
- **Financial Report**
 - Finance Report for October 2021

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

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

REPORTS FROM OFFICERS AND STANDING COMMITTEES

4. Committee Reports

Alderman Chevalier reported on the December 14 Planning and Zoning Commission meeting. They discussed and approved the Smithville Montessori Academy addition and the Smithville Townhomes site plans that are one the agenda this evening.

There are a total of nine commercial permits for the year.

Mayor Boley asked Jack Hendrix, Development Director what the assessed value of the permits was?

Jack noted that it is \$32 million for commercial property and improvements and \$14 million in residential property improvements. There was a total of 46 residential permits for the year.

Alderman Atkins reported on the December 14 Finance Committee meeting. The bank reconciliation was completed way before the benchmark goal. They discussed the utility billing, the collection agency and litigation policy due to a delinquent bill over a thousand dollars. They discussed pursuing litigation, the collection cost, the court cost and paying the collection fees.

Staff has nearly submitted all the required documents for the audit. There are well over a hundred documents that must be submitted and at this time they are ahead of schedule.

They discussed adding another certificate of deposit for the general fund, at this time there are six certificate of deposits that will be rolled over. Staff will analyze the rates being offered and will report back with recommendations.

Alderman Atkins noted that the fiscal year 2021 ended well and said that Stephen Larson, Finance Director and his staff did an excellent job with their presentations.

Alderman Hartman agreed that Stephen and his staff have done a wonderful job for the Board in preparing not only the current spending reports but also the projection of the next five years spending and the cost of the projects.

Mayor Boley noted that Mayra Ore, Finance Analyst, has been working on a PAFR, Popular Annual Financial Report.

Stephen said that Mayra is developing the PAFR, and it should be completed soon. The plan is to submit it for an award. The report will be approximately 10-14 pages and feature a lot of pertinent information. It does an excellent job of highlighting all the Board directed projects and accomplishment the City has completed in the last fiscal year.

5. City Administrator's Report

Cynthia noted that on December 14 staff submitted the petitions for the county commission to put on the ballot a special road and bridge tax. City attorney, John Reddoch has heard back from the county's attorney that he has reviewed the information and will be placing in on the county work session agenda for the January 5 meeting. Staff anticipates that to be acted on at the commissioner's January 12 regular session meeting. We are hopeful that they will have certification of a ballot question for the April ballot. She noted that staff will keep the Board informed as things progress and she and John Reddoch plan to attend both the January 5 and 12 meetings.

Earlier today Mayor Boley, Chuck Soules, Public Works Director, Stephen Larson, Finance Director and Cynthia met with representatives from Clay County to discuss the application we submitted to them for approximately \$800,000 in funds from the American Rescue Plan Act, ARPA funds. This item will also be on the county commissioner's agenda for January 5 and 12. These remaining funds would be for

water improvement projects that we are working on out at the lake. We have allocated approximately two million dollars of our ARPA funds for the project for 2022 and 2023 and the remaining cost we anticipate receiving from Clay County. Chuck will also be attending the January 5 and 12 meetings to answer any questions they might have. Staff will keep the Board posted.

We now have two additional officers, Brett Hazelrigg and Caitlin Repola graduated their POST training Thursday evening. Mayor Boley, Cynthia and representatives from the police department were able to attend the ceremony. They were sworn in as Smithville police officers Friday and have begun field training.

The Neighborhood Beautification Grants process will begin on January 3, 2022. Information about the grant program, the application, FAQ, and a cover letter will be sent directly to all HOA's. The cover letter will include an overview of the application, who to contact with any questions, as well as overall timeline. The completed applications will be accepted through March 1.

City Hall will be closed on Friday, December 24 and Friday, December 31 in observance of Christmas and New Year's Day.

ORDINANCES & RESOLUTIONS

6. Bill No. 2926-21, Annexation Lot 24, Lakeside Crossing – 2nd Reading

Alderman Ulledahl moved to approve Bill No. 2926-21, approving the annexation of Lot 24, Lakeside Crossing, 15705 North Wabash Street. 2nd reading by title only. Alderman Atkins seconded the motion.

No discussion.

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2926-21 approved.

7. Bill No. 2927-21, Purchasing Agreement with SHI Corporation – 2nd Reading

Alderman Atkins moved to approve Bill No. 2927-21, authorizing the Mayor to sign on behalf of the City the Participation Agreement with Software House International Corporation. 2nd reading by title only. Alderman Hartman seconded the motion.

No discussion.

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2927-21 approved.

8. Bill No. 2928-21, Richardson Street Plaza Overlay District – Emergency Ordinance Sponsored by Mayor Boley - 1st and 2nd Reading

Alderman Atkins moved to approve Bill No. 2928-21, approving FY22 budget amendment No. 1, for an amount of \$45,000 to complete the clearing of debris from the RCB under East Woods Street between Woodland Avenue and Winner Avenue. 1st reading by title only. Alderman Ulledahl seconded the motion.

No discussion.

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2928-21 approved first reading.

Alderman Ulledahl moved to approve Bill No. 2928-21, approving FY22 budget amendment No. 1, for an amount of \$45,000 to complete the clearing of debris from the RCB under East Woods Street between Woodland Avenue and Winner Avenue. 2nd reading by title only. Alderman Hartman seconded the motion.

No discussion.

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2928-21 approved.

9. Resolution 1006, Adopting the Stormwater Management Plan

Alderman Ulledahl moved to approve Resolution 1006, adopting the Stormwater Management Plan for the 2021-2026 MS4 Permit. Alderman Atkins seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 1006 approved.

10. Resolution 1007, Emergency Expenditure

Alderman Ulledahl moved to approve Resolution 1007, acknowledging an emergency expenditure not to exceed \$45,000 to Ace Pipe Cleaning to clear debris out of the stormwater reinforced concrete box on East Woods Street between Winner Avenue and Woodland Avenue. Alderman Hartman seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 1007 approved.

11. Resolution 1008, Amending the Employee Compensation Plan

Alderman Atkins moved to approve Resolution 1008, amending the Employee Compensation Plan to add the position of part-time Program Coordinator in the Parks and Recreation Department. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 1008 approved.

12. Resolution 1009, Site Plan for Smithville Montessori Academy Addition

Alderman Hartman moved to approve Resolution 1009, approving the site plan for an addition at Smithville Montessori Academy at located at 14450 North Highway 169, Suite B. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 1009 approved.

13. Resolution 1010, Site Plan for Smithville Townhomes

Alderman Chevalier moved to approve Resolution 1010, approving a site plan for eight townhomes at 319 East Main Street. Alderman Ulledahl seconded the motion.

Alderman Hartman recused himself.

Alderman Chevalier noted he was excited for this project and that it is needed in Smithville.

Ayes – 4, Noes – 0, motion carries. Mayor Boley declared Resolution 1010 approved.

OTHER MATTERS BEFORE THE BOARD

14. Public Comment

None.

15. New Business from the Floor

None

Mayor Boley read a letter of resignation from Alderman Steve Sarver that he received earlier today.

It is with regret that I inform you of my decision to resign my position on the Board of Alderman, effective immediately.

My other commitments have become too great for me to be able to fulfill the requirements of my position on the Board, and I feel it is best for me to make room for someone with the time and energy to devote to the job.

It has been a pleasure serving Smithville as a member of the Board of Alderman, Planning and Zoning and other committees. I am so proud of all we have accomplished in the six and a half years I have served, and I have no doubt the board will continue these successes in the future.

Thank you,
Steve Sarver

Mayor Boley noted that he would be working to recommend an appointment to fill this vacancy in a future meeting.

16. Adjourn

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned at 7:19 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor



Board of Alderman Request for Action

MEETING DATE: 1/4/2021

DEPARTMENT: Police Department

AGENDA ITEM: Resolution 1011 – Municipal Prisoner Housing Agreement

REQUESTED BOARD ACTION:

A motion to approve Resolution 1011.

SUMMARY:

Approval of this item will direct the Mayor to execute the attached contract agreement with the Clay County Sheriff's Department for the purpose of housing municipal prisoners. The Smithville Police Department has used the Clay County Sheriff's Department's Detention Center for the housing of municipal prisoners for more than ten years. The Clay County Sheriff's Department has approached the City with the attached agreement, to establish expectations and costs. This agreement has been reviewed and approved by the City's legal staff.

PREVIOUS ACTION:

None

POLICY OBJECTIVE:

N/A

FINANCIAL CONSIDERATIONS:

Costs associated with prisoner housing are budgeted for annually.

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 1011

AN RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CLAY COUNTY FOR PRISONER HOUSING.

WHEREAS, the City of Smithville Police Department does not have facilities for the housing of municipal prisoners; and

WHEREAS, the Clay County Sheriff's Department's Detention Center has sufficient facilities for this purpose and currently houses Smithville prisoners; and

WHEREAS, it is in the best interest of the City to enter into a written agreement with the Clay County Sheriff's Department that delineates each party's responsibilities; and

WHEREAS, the attached Memorandum of Understanding between Smithville and the Clay County Sheriff's Department addresses all of the City's and Sheriff's concerns for the housing of municipal prisoners.

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

That the Mayor is hereby authorized and directed to execute the attached contract agreement with the Clay County Sheriff's Department for the purpose of providing housing of municipal prisoners.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 4th day of January 2022.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

CLAY COUNTY DETENTION CENTER MUNICIPAL PRISONER HOUSING AGREEMENT

THIS AGREEMENT entered into this 4th day of January, 2022, by and between Clay County, Missouri, ("County") and the City of Smithville Missouri, ("City").

WHEREAS, the County and the City are political subdivisions as defined by 70.210 RSMo.;

WHEREAS, the City and County are both empowered to house prisoners and prisoners;

WHEREAS, the County is the owner and operator of the Clay County Detention Center (hereinafter referred to as the "Jail");

WHEREAS the City is in need of additional space in which to house its prisoners;

WHEREAS the County is willing to house a certain number of the City's prisoners in the County's jail;

WHEREAS, the parties are desirous of entering into a cooperative agreement under 70.220 RSMo. for the common service of housing a certain number of the City's prisoners in the County's jail; and

WHEREAS, housing the City's prisoners in the County jail will mutually benefit both parties.

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

1. County and City agree to this Municipal Prisoner Housing Agreement under the following terms:

Prisoner Housing Arrangements:

Housing arrangements for a municipal prisoner must be made in advance by contacting the Clay County Detention Center ("CCDC") and the Municipal Housing Coordinator ("MHC"). If the MHC is not available, the City may contact the on-duty booking sergeant. The MHC or the on-duty sergeant will check for bed availability and verify the prisoner is "fit for confinement."

Requirements for Incarceration:

The County cannot accept prisoners who are medically unsuitable for incarceration, (See RSMO 221.040). Additionally, if, upon arrival at the CCDC, the prisoner is in need of medical care at a hospital or other facility, the City shall be responsible for the transportation of the prisoner and the prisoner shall remain in the City's custody and control. In the event the prisoner has State charges, Clay County will send a Deputy to take custody of the prisoner.

The housing of municipal prisoners who are dangerous to staff and other prisoners may be prohibited unless suitable segregation cells are available.

The City shall submit all required paperwork and documentation with each prisoner. This shall include a municipal commitment from the City's Judge on a form provided by the County and any documentation

necessary to confirm the identity of the prisoner. If a commitment is not available, the City shall include a copy of the warrant and/or citation. In such event, the City shall provide the municipal commitment within 24 hours of incarceration.

Upon transferring custody of the prisoner to the County, the City will also submit all relevant information regarding the prisoner's bond (amount, surety bond eligibility and other criteria) and court dates. The City agrees to keep this information updated during the term of the prisoner's incarceration.

Any special requirements or conditions placed upon the prisoner need to be specifically outlined in writing. No special requirements or conditions will be accepted or applied without this written documentation.

State / Other Holds

Any prisoner who is has an active Clay County warrant will automatically be transferred to County custody will not be released/transported to the City for court without a writ. Any municipal holds placed on the prisoner will be honored after the Clay County charges are completed. In this situation every effort will be made to contact the City. Any prisoner wo has an active warrant for a jurisdiction other than Clay County will be held on the municipal hold unless a writ is issued.

Prisoner Transportation and Property

Transportation of prisoners to and from the CCDC shall be the responsibility of the City, but may be facilitated by Clay County Sheriff's Office when available.

Property of prisoners will be accepted at the CCDC but will be confined to clothing worn by the prisoner at the time of commitment to the CCDC, as well as the personal effects on the prisoner. Such property shall fit into one bag that is no larger than 18" X 18" X5"; and one 9" X 12" legal size envelope containing legal paperwork, necessary addresses, and phone numbers. **Please note:** The CCDC will not accept knives, guns, ammunition, or any other weapons, regardless of legal ownership.

Prisoners will be allowed to have funds to come in with them at the time of their commitment or have funds in the form of money orders (made out to the prisoner's name) brought to the CCDC for deposit into an account in their name. Such funds may be used at the prisoner commissary.

Municipal Prisoner Intake Charges

All CCDC prisoner/prisoners are charged an intake fee. These fees are:

Male prisoners will be charged \$7.00 upon intake for the following items: cup, spoon, hygiene kit, and a prisoner handbook.

Female prisoners will be charged \$7.00 upon intake for the following items: cup, spoon, hygiene kit, and a prisoner handbook.

Bonding Arrangements

Prior to transporting any prisoner to the County, the City shall hold the prisoner for a minimum of four (4) hours to give the prisoner the opportunity to post bond. The County will not accept prisoners who have not been this period of time to post bond. After arrival at the CCDC, if a prisoner becomes able to post bond for their release, they may post such bond pursuant to the bonding criteria in place at that

time for the prisoner. Once bond is posted, the County will notify the City and arrange to forward the bond to the City.

Release Arrangements

If the prisoner has been sentenced to a period of incarceration by the judge, the commitment order should specify the date the prisoner is to be released, along with the time. Any commitment order not stating a specific time will be released at 0700 hours on the date of release. If the commitment specifies a certain number of days and not a specific date, the prisoner will be released on the date set forth by CCDC's booking program. CCDC's booking program calculates the date a prisoner is booked in as a full day of incarceration and partial days as a full day of incarceration.

If a prisoner is authorized to be released by the City or posts bond, such release will typically be at the CCDC, unless other arrangements are made by the City. If a prisoner's release is authorized by the City, the City shall authorize the release by phone and in writing, using the County's forms.

Court Arrangements

Video arraignment is available on a limited basis, depending on staff availability and must be set up and approved by the MHC or their designee. When transporting a prisoner for court, the City must contact the on-duty Detention Sergeant no less than 30 minutes in advance. Given that Judge Krauser (or some other Clay County Judge) hears the City of Smithville Docket, the prisoner will be transported to and from Court by the County as any other prisoner being held pursuant to County or State Charges.

The City shall be responsible for compliance with 479.360 RSMo.

Medical Care

Prisoners will receive the same level of prisoner medical care as received by all other detainees, including an initial medical screening by CCDC staff at the time of booking. Prisoners will also receive a complete medical intake exam by qualified CCDC medical staff within 72 hours of commitment to the CCDC. Additionally, some basic in-house dental services are provided, if deemed medically necessary.

If a prisoner is in custody and needs to be transported to a hospital or other medical provider, the City will be contacted and agrees to send an officer to take custody of the prisoner.

Prisoners are required to pay for the medical services they receive, as do all other detainees at the CCDC. In addition to other charges, CCDC charges co-pays of \$5 for prescriptions, \$5 for nurse visits and \$10 for Doctor visits. If a prisoner has medication they are currently taking, such medication shall be sent with the prisoner and turned over to CCDC staff.

If a prisoner is discovered to have significant medical problems, which would cause the County to expend significant resources, the City agrees to assume custody of the prisoner from the CCDC or authorize the prisoner's release.

Rate

The current daily rate to be paid by the City for each day of prisoner housing is \$39.00, Beginning on January 1, 2022, at 0001 hours, the parties agree that this rate shall increase to \$49.17 and will increase on January 1, 2023, at 0001 hours to \$59.34.

2. *Term/Termination.* Either party may terminate this agreement upon 30 days written notice to the other party.
3. *Effective Date.* This cooperative agreement will take effect upon approval of the County Commission and the City. Each body shall approve and maintain this agreement pursuant to '70.230, RSMo.
4. This writing contains the entire agreement of the parties. No representations were made or relied upon by either party, other than those expressly set forth herein. No agent, employee or other representative of either party is empowered to alter any term of this agreement, unless done in writing and signed by the same officers as have executed this contract.
5. *Controlling Law.* The validity, interpretation, and performance of this agreement shall be controlled by and construed under the laws of the State of Missouri.
6. *Waiver.* The failure of either party to this agreement to object to or to take affirmative action with respect to the conduct of the other which is in violation of the terms of this agreement shall not be construed as a waiver of the violation or breach, or any future violation, breach, or wrongful conduct.
7. *Notices.* All notices pertaining to this agreement shall be in writing and transmitted by either personal hand delivery or through the United States Post Office, certified or registered mail return receipt requested. All notices shall be sent to addresses set forth above for the respective parties, unless either party gives written notice of a change of address.
8. *Headings.* Headings in this agreement are for convenience only and shall not be used to interpret or construe as provisions.
9. *Binding Effect.* The provisions of this agreement are binding on the parties hereto, their heirs, successors, and assigns.

COUNTY OF CLAY, MISSOURI

Approved:

 County Counselor

By: _____
 Presiding Commissioner
 Name:
 Authorized Agent of County

CITY OF SMITHVILLE MISSOURI

ATTEST:

 Clerk of the County Commission

By: _____
 Title: Damien Boley, Mayor



Board of Alderman Request for Action

MEETING DATE: 1/4/2022

DEPARTMENT: Public Works

AGENDA ITEM: Approve Resolution 1012 Awarding RFP 22-05 Woods Court Lift Station Rehabilitation To Mid-America Pump in the amount of \$28,576.05

RECOMMENDED ACTION:

Approve Resolution 1012.

SUMMARY:

Bids were received on December 21, 2021 for the rehabilitation of the Woods Court Lift Station. The current lift station is 23 years old. The pumps have reached their useful life and have been requiring regular repairs. The discharge piping is corroded and seeping, it is only a matter of time before the lift station is inoperable. The project will include replacement of the pumps, all piping, valves and lifting chains.

Two bids were received with the most responsive bid from Mid-America Pump in an amount of \$28,576.05.

PREVIOUS ACTION:

This project was included in the 2021 budget.

POLICY ISSUE:

Maintaining infrastructure

FINANCIAL CONSIDERATIONS: The 2022 budget included \$40,000 for this project.

ATTACHMENTS:

- | | |
|--|-----------------------------------|
| <input type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Engineer Recommendation | <input type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: Bid Tab | |

RESOLUTION 1012

A RESOLUTION AWARDING RFP 22-05, WOODS COURT LIFT STATION REHABILITATION TO MID-AMERICA PUMP IN THE AMOUNT OF \$28,576.05 AND AUTHORIZING THE MAYOR TO SIGN A CONSTRUCTION CONTRACT

WHEREAS, bid documents were developed for the rehabilitation of the Woods Court Lift Station; and

WHEREAS, bids were received on December 21, 2021; and

WHEREAS, this project continues the City's commitment to improving and maintaining the City's infrastructure; and

WHEREAS, after a bid process, as outlined in the City Purchasing Policy, and reference checks, staff is recommending the bid received from Mid-America Pump is the most responsive and best bid received and the most advantageous to the City in the amount of \$28,576.05.

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

THAT Bid No. 22-05 is hereby awarded to Mid-America Pump in the amount of \$28,576.05 and the Mayor is authorized to execute the construction contract.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, this 4th day of January, 2022.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



Board of Alderman Request for Action

MEETING DATE: 1/4/2022

DEPARTMENT: Administration

AGENDA ITEM: Approve Resolution 1013 Appointing Shannon Ryser Alternate Prosecuting Attorney.

RECOMMENDED ACTION:

Approve Resolution 1013, appointing Shannon Ryser as Alternate Prosecuting Attorney.

SUMMARY:

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

PREVIOUS ACTION:

Ms. Ravkin was appointed Alternate Prosecuting Attorney in 2019 and Prosecuting Attorney in 2021. With her appointment as Prosecuting Attorney, an Alternate is necessary.

POLICY ISSUE:

FINANCIAL CONSIDERATIONS:

ATTACHMENTS:

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

RESOLUTION 1013

A RESOLUTION APPOINTING SHANNON RYSER AS ALTERNATE PROSECUTING ATTORNEY.

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

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

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

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

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

THAT Shannon Ryser is hereby appointed as Alternate Prosecuting Attorney.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 4th day of January 2022.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

Mayor Boley,

I am writing this letter in recommendation of Shannon Ryser as the backup prosecutor for the position of Smithville Municipal Prosecutor. Mr. Ryser has been an attorney for twenty three years and a Clay County Prosecuting Attorney for five years. Mr. Ryser possess numerous qualities that would make him a qualified and exceptional candidate for this position. Mr. Ryser is the hardest working prosecutor in Clay County. He is always the first in the office in the morning and the last there in the evening. His attention to detail is incredibly beneficial when preparing a case to be charged and eventually for trial. Mr. Ryser has conducted eleven felony and misdemeanor trials in the five years he has been with the Prosecutor's Office. He appears regularly in court and is well respected by the other Assistant Prosecutors, defense counsel and the judiciary. Judge Krauser is the primary Judge who hears the Smithville docket. Mr. Ryser was the assigned prosecutor in Judge Krasuer's courtroom for several months and he has a good working relationship with Judge Krauser and her clerk Melanie Ramirez. Mr. Ryser is a very reliable employee and will be easy reach by the officers and police clerk should any issues arise prior to any court dates.

I am fully confident is Mr. Ryser's ability to serve as my back up and represent the citizens of Smithville.

Thank you for your consideration on this matter.

Angela Ravkin

Shannon J. Ryser

(816) 489-1495

Shannon.J.Ryser@gmail.com

EXPERIENCE

Member of Missouri and Kansas Bars

Clay County Prosecuting Attorney

Kansas City, Missouri

Assistant Prosecuting Attorney

May 2016 - Present

Responsible for prosecuting Missouri criminal offenses, from initial charging decision through arraignment, pre-trial motions, trial, and final sentencing, with an emphasis on sex offenses and crimes against children. Coordinate with law enforcement officers during investigations, including obtaining search warrants. Communicate with victims and interview witnesses. Negotiate plea agreements with defense counsel. Review juvenile cases for possible certification.

Bryan Cave LLP

Kansas City, Missouri

Attorney

August 1999 - April 2016

Advised clients regarding federal tax law and estate planning issues, including transfer taxes, income taxes, property law, business succession, and trust administration. Researched tax and trust law issues and drafted opinions and legal memoranda. Extensive knowledge of the Internal Revenue Code and Treasury Regulations, including federal tax laws applicable in an international context, specializing in grantor and nongrantor trust analysis, taxation of US beneficiaries of foreign trusts, controlled foreign corporation and passive foreign investment company analysis, and information reporting requirements of US settlors and beneficiaries of foreign trusts. Drafted wills, trusts, powers of attorney, probate pleadings, premarital agreements, and other legal documents. Reviewed federal and state estate tax returns, fiduciary income tax returns, and other tax and information returns. Supervised probate administrations. Reviewed legal work prepared by associates and legal assistants.

UMB Bank, N.A.

Kansas City, Missouri

Trust Officer

May 1998 - August 1999

Responsible for administering trusts and decedents' estates, including collecting assets, investing funds, making distributions, and filing pleadings in probate court. Met regularly with settlors, beneficiaries, and their attorneys regarding estate planning and administration issues. Coordinated a team of financial advisors, including tax and investment professionals. Analyzed wills and trust documents.

Missouri Court of Appeals, Western District

Kansas City, Missouri

Judicial Clerk to Judge Laura Denvir Stith

August 1996 - May 1998

Researched various legal issues, read briefs, and drafted bench memoranda. Drafted and edited judicial opinions.

EDUCATION

Washington University School of Law

St. Louis, Missouri

Juris Doctor

May 1996

- Order of the Coif
- *Washington University Law Quarterly*
- Teaching Assistant, Legal Research and Writing

University of Missouri - Kansas City

Kansas City, Missouri

Bachelor of Business Administration

May 1993



City Administrator's Report

December 29, 2021

Neighborhood Beautification Grants

The Neighborhood Beautification Grants process will begin on January 3, 2022. The application, FAQ, and a cover letter will be sent directly to all HOA's. The cover letter will include an overview of the application, who to contact with any questions, as well as overall timeline. Applicants are encouraged to reach out to public works staff for any projects that would be placed in the right-of-way, ensuring that they all have proper permits prior to submitting application. Applications will be accepted until March 31 with award letters distributed by mid-April to ensure HOAs are able to properly prepare for any spring projects.

MML Westgate Dinner

Mark your calendars for Thursday, January 27. Smithville will host the Westgate dinner at White Iron Ridge. The Mayor and Linda Drummond are working with local restaurants and others to provide "a taste of Smithville," including a meal catered by Aroma Bistro, Chops and Kozak's as well as a cash bar. Please RSVP to Linda if you plan to attend.

Holiday Closure and Best Wishes

City Hall will be closed on Friday, December 31 in observance of New Year's Day. Best Wishes to you and yours for a Happy New Year.



Board of Alderman Request for Action

MEETING DATE: 1/4/2022

DEPARTMENT: Administration

AGENDA ITEM: Election of Mayor Pro-Tem

RECOMMENDED ACTION:

The Board should make nominations to elect their representative to serve as Mayor Pro-Tem and roll call vote.

SUMMARY:

The Board of Aldermen are required to elect a Mayor Pro-Tem annually per City Ordinance.

Section 130.030. Acting President of The Board of Aldermen.

A. Pursuant to Section 79.090, RSMo, the Board of Aldermen shall elect one of their own number who shall be styled "Acting President of the Board of Aldermen" and who shall serve for a term of one year. The Acting President of the Board of Aldermen may commonly be referred to as Mayor pro tem.

B. Pursuant to Section 79.100, RSMo, when any vacancy shall happen in the office of mayor by death, resignation, removal from the City, removal from office, refusal to qualify or from any other cause whatever, the acting president of the Board of Aldermen shall for the time being, perform the duties of mayor, with all the rights, privileges, powers and jurisdiction of the mayor until such vacancy be filled or such disability be removed; or, in case of temporary absence of the mayor, until the mayor's return.

PREVIOUS ACTION:

This is an annual event but due to the recent resignation this is a replacement position until the election.

POLICY ISSUE:

FINANCIAL CONSIDERATIONS:

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: | |