

**SMITHVILLE BOARD OF ALDERMEN  
REGULAR SESSION**

April 3, 2023 7:00 p.m.  
City Hall Council Chambers and Via Videoconference

**1. Call to Order**

Mayor Boley, present, called the meeting to order at 7:08 p.m. following the Executive Session. A quorum of the Board was present: John Chevalier, Leeah Shipley, Marv Atkins, Ronald Russell, Dan Ulledahl and Dan Hartman.

Staff present: Cynthia Wagner, Chuck Soules, Chief Lockridge, Stephen Larson, Jack Hendrix, Matt Denton and Linda Drummond. Gina Pate was present via Zoom.

**2. Pledge of Allegiance led by John Chevalier**

**3. Consent Agenda**

- **Minutes**
  - March 7, Board of Aldermen Work Session Minutes
  - March 7, Board of Aldermen Regular Session Minutes
- **Financial Report**
  - Finance Report February 2023
- **Resolution 1200, Temporary Liquor License – Smithville Main Street District**

A Resolution approving a temporary Liquor License for Smithville Main Street District for additional wine vendors for operation of Humphrey’s Gravel Adventure Bike Race and Wine Walk on May 6, 2023.
- **Resolution 1201, Special Event Permit – Smithville Main Street District**

A Resolution issuing a special event permit and waiving the Courtyard Special Event Fee for Smithville Main Street District’s two 2023 Special Events: the Whiskey Walk and Market on July 15, 2023 and the Wine Walk and Christmas Market on November 11, 2023.
- **Resolution 1202, Special Event Permit – Backyard BBQ Bash and Junkville**

A Resolution issuing a special event permit and waiving the Courtyard Special Event Fee for Smithville Chamber of Commerce 2023 Backyard BBQ Bash and Junkville.
- **Resolution 1203, Nehemiah Festival**

A Resolution authorizing and directing the Mayor to execute an agreement with Grace Community Church for use of Smith’s Fork Park to host the Nehemiah music festival.
- **Resolution 1204, Awarding the Neighborhood Beautification Grants**

A Resolution awarding Neighborhood Beautification Grants totaling \$19,990.

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

Constance Scott, 308 Killarney Lane thanked the Board and the Neighborhood Beautification committee for this to help continue their improvements.

Ayes – 5, Noes – 0, Abstained – 1 (Alderman Shipley – Member of Main Street District) motion carries. The Mayor declared the consent agenda approved.

## **REPORTS FROM OFFICERS AND STANDING COMMITTEES**

### **4. Committee Reports**

Alderman Chevalier reported on the March 14 Planning and Zoning Commission meeting. They only had one item on their agenda the KCI RV Storage that is on the agenda this evening.

Jack Hendrix, Development Director said there are only seven single family building permits so far this year.

Alderman Hartman reported on the March 23 Parks and Recreation Committee meeting. They discussed the Way Finder Signage and some items that will be on a work session agenda in the future.

Alderman Atkins reported on the March 28 Economic Development Committee meeting. The Chamber of Commerce website has a new look as of March 1. The Chamber of Commerce will soon be starting a new podcast. On April 8 is the Easter Egg Hunt at Heritage Park. On April 8 there is an E-Shredding event at the High School parking lot.

The Economic Development Committee has two vacancies at this time.

Alderman Atkins noted that Gina Pate, Assistant City Administrator, is going to generate and distribute a matrix of all the goals of the City' Strategic Plan. This way the committee can keep track of what has been done, what is in progress and what needs to be done. With the matrix the committee can assess the priorities and goals and come up with a process for accomplishing them.

They discussed the possibility of 3-D housing in Smithville as well as Agri-hood developments for co-op food programs for neighborhoods.

Mayor Boley asked that anyone wishing to donate Easter eggs for the Easter egg hunt please do so. They are trying to make this the biggest Easter egg hunt in the northland.

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

Cynthia Wagner, City Administrator, noted that the Corps of Engineers notified us that due to the rainfall received last week, they need to release water from the lake. Because we are pulling water as part of the project at Smith's Fork raw water pump station the release could potentially affect our water supply. When the Corps releases water they usually pull the water from the top. They are working with us on this and pulling from the top and the bottom to have less of an effect on the water. Staff is testing the water regularly and we have had no issues with water quality. The Corps has advised that they hope to be able to stop the release midweek.

Clay County Parks and Recreation obtains water from the City, and they have discovered a sizable leak under the lake. In addition, last week they found another leak in a service line. This service line leak has affected the Litton Center, Smith's Fork Campground and the Parks and Recreation building. This caused us to not have service Friday, Saturday and Sunday. The campground reservations opened on Friday with the camp season starting on

Saturday. There was a total of five campers that staff had to contact to cancel their reservations and provided refunds. Clay County has made the repairs. Staff is working with those campers to reschedule and campers have begun arriving this afternoon. Cynthia noted that the replacement of this line will probably need to be placed in the CIP (Capital Improvement Project) as soon as next fiscal year because the line is old, and we need to have our own service line.

Cynthia noted that there was a typo in the City Administrator's report. The Household Hazardous Waste Event date is Saturday, August 19 and not August 17 which is a Thursday.

Cynthia reminded everyone that there are upcoming meeting dates that have been cancelled.

- The July 4 meeting is cancelled for the Holiday and City Hall is closed July 3 & 4.
- The August 1 meeting has been cancelled as Mayor Boley will be out of town.

## **ORDINANCES & RESOLUTIONS**

### **6. Bill No. 2982-23, Condemnation of Property – 2<sup>nd</sup> Reading**

Alderman Ulledahl moved to approve Bill No. 2982-23, condemning certain lands for the purpose of constructing and maintaining a sewer line. 2<sup>nd</sup> reading by title only. Alderman Chevalier seconded the motion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2982-23 approved.

### **7. Bill No. 2984-23, FY2023 Budget Amendment No. 2 – Emergency Ordinance Sponsored by Mayor Boley – 1<sup>st</sup> and 2<sup>nd</sup> Reading**

Alderman Ulledahl moved to approve Bill No. 2984-23, amending the FY2023 Budget to add \$100,000 to the expenditure budget. 1<sup>st</sup> reading by title only. Alderman Chevalier seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2984-23 approved first reading.

Alderman Ulledahl moved to approve Bill No. 2984-23, amending the FY2023 Budget to add \$100,000 to the expenditure budget. 2<sup>nd</sup> reading by title only. Alderman Chevalier seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2984-23 approved.

**8. Bill No. 2985-23, Condemnation of Property – 1<sup>st</sup> Reading**

Alderman Ulledahl moved to approve Bill No. 2985-23, condemning certain lands for the purpose of constructing and maintaining a sewer line. 1<sup>st</sup> reading by title only. Alderman Russell seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2985-23 approved.

**9. Bill No. 2986-23, TAP Grant for Second Creek Sidewalk – 1<sup>st</sup> Reading**

Alderman Ulledahl moved to approve Bill No. 2986-23, authorizing and directing the Mayor to execute an agreement with Missouri Highways and Transportation Commission for the Transportation Alternatives Program Grant for the Second Creek Sidewalk. 1<sup>st</sup> reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote:

Alderman Shipley – Aye, Alderman Atkins – Aye, Alderman Chevalier – Aye,  
Alderman Ulledahl – Aye, Alderman Russell – No, Alderman Hartman - Aye.

Ayes – 5, Noes – 1, motion carries. Mayor Boley declared Bill No. 2986-23 approved first reading.

**10. Bill No. 2987-23, STGB Grant for Bridge Street Roundabout – 1<sup>st</sup> Reading**

Alderman Ulledahl moved to approve Bill No. 2987-23 authorizing and directing the Mayor to execute an agreement with Missouri Highways and Transportation Commission for the Surface Transportation Block Grant Program for Bridge Street Roundabout. 1<sup>st</sup> reading by title only. Alderman Chevalier seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2987-23 approved first reading.

**11. Bill No. 2988-23, TAP Grant for Improvement to Riverwalk Park – 1<sup>st</sup> Reading**

Alderman Ulledahl moved to approve Bill No. 2988-23, authorizing and directing the Mayor to execute an agreement with Missouri Highways and Transportation Commission for the Transportation Alternatives Program Grant for Riverwalk Park. 1<sup>st</sup> reading by title only. Alderman Atkins the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2988-23 approved first reading.

**12. Bill No. 2989-23, Condemnation of Property – 1<sup>st</sup> Reading**

Alderman Ulledahl moved to approve Bill No. 2989-23, condemning certain lands for the purpose of constructing and maintaining a sewer line. 1<sup>st</sup> reading by title only. Alderman Russell seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2989-23 approved first reading.

**13. Resolution 1205, Expenditure to Mid-America Regional Council**

Alderman Ulledahl moved to approve Resolution 1205, authorizing expenditure to Mid-America Regional Council(MARC) for a 1% project fee that provides a portion of the non-federal funds that they are required to match federal funds. Alderman Atkins seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1205 approved.

**14. Resolution 1206, City Administrator’s Employment Contract**

Alderman Ulledahl moved to approve Resolution 1206, authorizing and directing the Mayor to execute an updated employment contract with Cynthia Wagner for the City Administrator position. Alderman Atkins seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1206 approved.

**15. Resolution 1207, Change Order for Winner Road**

Alderman Ulledahl moved to approve Resolution 1207, approving a change order for the Winner Avenue Watermain Improvements to Blue Moon Hauling in the amount of \$9,135.80 for additional work. Alderman Russell seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1207 approved.

**16. Resolution 1208, Authorization No. 99 - Water Plant Maintenance Program**

Alderman Ulledahl moved to approve Resolution 1208, approving Authorization No. 99 with HDR Engineering, Inc. to complete the engineering design and specifications for Water Treatment Plant Improvements in the amount of \$255,730. Alderman Atkins seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1208 approved.

**17. Resolution 1209, Site Plan Amendment -KCI RV Storage**

Alderman Ulledahl moved to approve Resolution 1209 approving the amended site plan for KCI RV Storage to add more buildings and change the layout at 14600 North 169 Highway. Alderman Chevalier seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1209 approved.

**18. Resolution 1210, Final Plat – Herzog Foundation 2<sup>nd</sup> Plat**

Alderman Ulledahl moved to approve Resolution 1210, approving the Final Plat for the Herzog Foundation Second Plat. Alderman Russell seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1210 approved.

**19. Resolution 1211, Agreement with the Corps of Engineers**

Alderman Ulledahl moved to approve Resolution 1211, authorizing and directing the Mayor to execute Supplemental Agreement No. 6 to Lease No. DACW42-1-91-123 with the Corps of Engineers adding 34 acres to Smith’s Fork Park Lease. Alderman Russell seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1211 approved.

**20. Resolution 1212, Awarding Bid No. 23-06, Street Maintenance Program**

Alderman Ulledahl moved to approve Resolution 1212, awarding Bid No. 23-06 to Pavement Management to complete street improvements on Spellman Road, NE 172nd

Street, Old Jefferson Highway, and 180th Street in an amount not to exceed \$387,489.64 and a force account of approximately \$14,000. Alderman Chevalier seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1212 approved.

## **OTHER MATTERS BEFORE THE BOARD**

### **21. Public Comment**

Glen Owen, 804 East Summit Street, spoke to the Board concerning Dundee Road. He said that there is only a curb a third of the way up the street. He said that the street needs repaired, it needs cut down some and it needs curbs.

Dawn Reffett, 104 Owens Avenue, spoke to the Board concerning the flooding issue in her backyard and the backyards of four of her neighbors on the same street. She said that their backyards are of no use to them.

Chuck Soules, Public Works Director will meet with the residents concerning these issues.

### **22. New Business from the Floor**

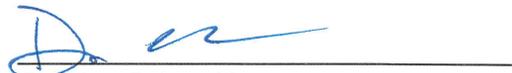
Alderman Russell noted that at the March 7 meeting he used the phrase quid pro quo which means get something for something and for that he apologized to the Board and to the constituents.

### **23. Adjourn**

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned at 7:32 p.m.

  
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Linda Drummond, City Clerk

  
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Damien Boley, Mayor