

**SMITHVILLE BOARD OF ALDERMEN
REGULAR SESSION**

May 2, 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 7:23 p.m. following the Executive Session. A quorum of the Board was present: Melissa Wilson, Leeah Shipley, Marv Atkins, Ronald Russell, Dan Ulledahl and Dan Hartman.

Staff present: Cynthia Wagner, Gina Pate, Chuck Soules, Captain Tony Roetman, Stephen Larson, Jack Hendrix, Matt Denton and Linda Drummond.

2. Proclamations

- **May – Older American’s Month**
- **National Police Week – May 15-21**

3. Consent Agenda

- **Minutes**
 - April 18, 2023 Board of Aldermen Work Session Minutes
 - April 18, 2023 Board of Aldermen First Regular Session Minutes
 - April 18, 2023 Board of Aldermen Second Regular Session Minutes
- **Resolution 1219, Acknowledge Emergency Purchase**

A Resolution acknowledging the emergency purchase of replacement ultra-violet (UV) light sleeves at the wastewater treatment plant from Trojan Technologies in the amount of \$9,664.
- **Resolution 1220, Leak Adjustment**

A Resolution approving the leak adjustment in the amount of \$960.36 for utility billing customer Mitch McGuire for his December bill.

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

Upon roll call vote:

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

REPORTS FROM OFFICERS AND STANDING COMMITTEES

4. Committee Reports

Alderman Hartman reported on the April 25 Economic Development Committee meeting. Steve Langley was elected Vice Chair. They discussed goal setting and defining roles and responsibilities for each of the EDC members based on the Comprehensive Plan but did not assign any responsibilities. They also discussed having GK Callahan from the Clay County University of Missouri Extension Office be a guest speaker at an upcoming meeting.

5. City Administrator's Report

Cynthia Wagner noted that there were a number of items in the City Administrator's report in the packet, updates on Parks and Recreation and Public Works projects. She suggested that everyone please take the time to look at the report located on the City's website.

Cynthia noted that the City has again received the Government Finance Officers Association (GFOA) Distinguished Budget Award. She explained that this is a distinguished award and thanked Stephen Larson, Finance Director and his staff for their work on this. Cynthia noted that the document has evolved over the years and Stephen and the finance staff consistently work to make improvements. This year's evaluators gave us outstanding ratings in the areas of our capital program on charts and graphs, understandability and usability, and overall communication device. Cynthia noted that this document is an important tool for what we work through throughout the year, and she really appreciate Stephen's work in making sure that this document is a communications and information tool for the community the and transparently provides information on the budget.

Cynthia noted that the public art, World's Her Canvas, provided through the Creative Cities Alliance Sculpture On The Go Project, is scheduled to be placed on May 5.

ORDINANCES & RESOLUTIONS

6. Bill No. 2992-23, Amending the Conceptual Plan – Fairview Crossing – 2nd Reading

Alderman Ulledahl moved to approve Bill No. 2992-23, amending the existing conceptual plan of Fairview Crossing to address powerline easement encroachments and changes to the original plan. 2nd reading by title only. Alderman Wilson seconded the motion.

Alisa Baker, 411 NE 144th Street, feels that the number of people in cars close to a rural setting is concerning and the traffic it will create is problematic. She is concerned about families living in apartments and multi-family dwellings with little to no yards that will be coming onto their property and about safety. Ms. Baker said that she is concerned about noise pollution. She feels that single-family homes would be a more practical and reasonable transition. Ms. Baker said that she only found out about this project a day or two before the last meeting and asked if there might be a better solution for letting residents know about projects.

Doug Orton, 1000 NE 145th Terrace, said that he lives at the end of 144th Street and with the recent new development, they have seen a tremendous increase in traffic. It has taken a toll on the road. They have met with their Aldermen concerning this issue. Mr. Orton said that this is going to put more traffic on the road. He also agrees that this would be better suited for single-family homes. He has concerns about people wandering onto his property and issues with stormwater run-off.

Alderman Wilson noted that this is an amendment to a conceptual plan that was previously approved. She asked if this amendment was rejected, what would happen with the original conceptual plan that was approved.

Jack Hendrix, Development Director, explained that if this amendment was rejected the original conceptual plan that was approved a year ago stays in place.

Alderman Wilson said that her understanding on the amendment had to do with the powerlines and correcting where they were located in the original plan.

Jack said that was correct and also moving the north road up to Central Bank of the Midwest instead of having two entrances there.

Mayor Boley asked when the original zoning and conceptual plan was approved.

Jack explained that was approved by the Planning and Zoning Commission April of 2022 and May of 2022 by the Board of Aldermen.

Alderman Atkins asked if there would be two entrances into this complex.

Jack explained that there will be four entrances two off of 169 Highway and two on 144th Street. 144th will be rebuilt down to the end of this property line.

Alderman Atkins asked about the stormwater study.

Jack explained that there is more than enough space in the two basins to meet the City standards. He explained that they will not be designed until the preliminary plat is approved.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2992-23 approved.

**7. Bill No. 2993-23, FY2023 Budget Amendment No. 4 – Emergency Ordinance
Sponsored by Mayor Boley – 1st and 2nd Reading**

Alderman Ulledahl moved to approve Bill No. 2993-23, amending the FY2023 Budget to add \$240,000 to the expenditure budget. 1st 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 Wilson - Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2993-23 approved first reading.

Alderman Ulledahl moved to approve Bill No. 2993-23, amending the FY2023 Budget to add \$240,000 to the expenditure budget. 2nd reading by title only. Alderman Wilson seconded the motion.

No discussion.

Upon roll call vote:

Alderman Russell – Aye, Alderman Shipley – Aye, Alderman Hartman – Aye,

Alderman Wilson – Aye, Alderman Atkins – Aye, Alderman Ulledahl - Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2993-23 approved

8. Bill No. 2994-23, Repealing and Replacing Section 200 Collective Bargaining – 1st Reading

Alderman Ulledahl moved to approve Bill No. 2994-23 repealing Ordinance Section 200 regarding provisions for collective bargaining with law enforcement personnel. 1st reading by title only. Alderman Hartman seconded the motion.

Alderman Russell asked for clarification on the changes, if the police officers below the sergeants would be represented by a certain section of the FOP and above that would be represented by another section.

Jeff Place, Labor Attorney, explained Local Lodge 50 is the Fraternal Order of Police unit that would represent everyone. He said that he represents about a dozen cities in the area and Shawn McCauley is the attorney for the FOP. He advises cities that they need to have separate bargaining units because the sergeants have supervisory responsibilities over the officers particularly on the weekends and at night. If they are in the same local units they have the same union representatives and that creates a conflict of interest. When they are separated into separate bargaining units, the sergeants pick their own representative who handles sergeant union issues and officers pick their own representative that handle the officer issues to avoid any conflict of interest with the supervisory responsibilities.

Alderman Hartman clarified that this is already an Ordinance we are just striking the issues Mr. Place spoke of.

Cynthia said that was correct the Ordinance is in place. The information in the packet is the redline of those changes made. She explained that the original Ordinance was approved in 2015 and since that time there have been changes to state law and changes to best practices. These changes will bring the City in line with other Ordinances of entities in the area. The changes were recommended by Mr. Place.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2994-23 approved first reading.

9. Resolution 1222, Preliminary Plat – Fairview Crossing

Alderman Ulledahl moved to approve Resolution 1222, approving the preliminary plat for Fairview Crossing. Alderman Russell seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1222 approved.

10. Resolution 1223, Public Water Supply District #8 Easement

Alderman Ulledahl moved to approve Resolution 1223, approving the assignment of an easement to Public Water Supply District (PWSD) #8. Alderman Hartman seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1223 approved.

11. Resolution 1224, Replacement and Repairs of Check Valves and Isolation Valves

Alderman Ulledahl moved to approve Resolution 1224, authorizing Mid-America Pump to complete the repairs and replacement of the check valves and isolation valves at the water treatment plant in the amount of \$16,732.14. Alderman Hartman seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1224 approved.

12. Resolution 1225, Wayfinding Sign Guidelines

Alderman Ulledahl moved to approve Resolution 1225, adopting the Wayfinding Signage and Design Guidelines package prepared by KMA Design. Alderman Russell seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1225 approved.

OTHER MATTERS BEFORE THE BOARD

13. Public Comment

Deborah Garrison, 161 E. First Street, Apartment 168, asked the Board to consider repairing sidewalks and adding additional handicap sidewalks in the City to help wheelchair bound individuals maneuver their way around the City.

Amanda Maynes, 800 194th Terrace, spoke to the Board against Kristine Bunch being appointed to the Economic Development Committee due to her abhorrent behavior during her recent run for Alderman.

Debra Dotson, 2004 NE 194th Place, spoke to the Board against Kristine Bunch being appointed to the Economic Development Committee. Ms. Dotson gave the Board a number of emails and letters to help her state her case against Ms. Bunch. One of her reasons were because of the online petition for the removal of City Administrator, Cynthia Wagner because she is not a resident of Smithville.

Andrew Krummenacker, 1104 Coneflower Street, spoke to the Board against Kristine Bunch being appointed to the Economic Development Committee. He said while he thinks it is commendable for anyone to run for any office and to get involved in local politics and believes there is no greater honor than being elected or entering the public services, what causes him the greatest reservation is how much Ms. Bunch took feedback or alternate views during her campaign. He noted that one of the greatest indicators to the public on future behavior is how they interact with the potential population which they will represent.

Opposing viewpoints on different social media platforms that she was using during her campaign were deleted and threats her own comments and others were deleted.

Kelly Kobylski, 200 E. Main Street, asked that the board vote no on the recommendation for Kristine Bunch to be a member of the EDC board. She noted that one reason is for numerous disrespectful social media posts and attacks on City officials and community members.

Chelsea Dana, 19407 Mulberry Lane, asked that the Board vote yes for Kristine Bunch for the Economic Development Committee. She said that John Chevalier had done the same thing on social and added if they are going to hold Kristine accountable then they should do the same for John Chevalier because he has done the same exact thing.

Jennifer Pease, 206 Hampton Drive, asked that the Board give Kristine Bunch a chance to be on the Economic Development Committee. She asked that they let her see exactly what a committee is going through and exactly how hard it is to be on a committee that it is not all sunshine and roses.

14. Appointment

The Mayor will nominate an appointment to the Planning and Zoning Commission and the Board will vote:

John Chevalier

By roll call vote.

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

Ayes – 6, Noes – 0, motion carries. The Mayor declared John Chevalier the Planning and Zoning Commission representative.

15. Appointment

The Mayor will nominate an appointment to the Economic Development Committee and the Board will vote:

Kristine Bunch

By roll call vote.

Alderman Ulledahl – No, Alderman Wilson – No, Alderman Hartman – Aye,
Alderman Shipley – No, Alderman Russell – Aye, Alderman Atkins – No.

Ayes – 2, Noes – 4, motion failed.

16. New Business from the Floor

None.

17. Adjourn

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned at 8:10 p.m.



Linda Drummond, City Clerk



Damien Boley, Mayor