

# SMITHVILLE BOARD OF ALDERMEN

## WORK SESSION

September 5, 2023, 6:30 p.m.  
City Hall Council Chambers and Via Videoconference

### 1. Call to Order

Mayor Boley, present, called the meeting to order at 6:34 p.m. A quorum of the Board was present: Melissa Wilson, Ronald Russell, Marv Atkins, Leeah Shipley and Dan Hartman. Dan Ulledahl was absent.

Staff present: Cynthia Wagner, Gina Pate, Chief Lockridge, Chuck Soules, Stephen Larson, Jack Hendrix and Brandi Schuerger.

### 2. Discussion -- Stormwater Plan – Illicit Discharge

Mayra Toothman, Assistant to the Public Works Director, explained to the Board members that the City of Smithville holds a Municipal Separate Storm System (MS4) permit through Missouri Department of Natural Resources (DNR). As a part of this requirement all MS4 permit holders must meet certain requirements and have policies in place. One of the requirements is to have an Illicit Discharge Detection and Elimination Plan (IDDE plan). This plan is a guideline for staff who are involved with the execution of the MS4 permit to be able to identify, report, investigate and eliminate illicit discharge. Illicit discharge refers to any discharge, whether direct or indirect, that does not pertain to stormwater and is not sanctioned by the City's regulations. Examples of this are untreated sewage, paint, oil, etc.

The 4 main components of this plan are as follows:

- Identification – The plan outlines procedures for the identification of potential illicit discharges by both the community and City employees. If they see something that is concerning they should report it.
- Reporting – If City staff receives a call from someone who believes there is illicit discharge occurring there will be a form used to collect this important information which will help identify where the illicit discharge is located.
- Investigation – Once the illicit discharge has been reported, staff will use multiple techniques to trace it and find where it begins. There will be an investigation form that staff will complete with a checklist that will help them identify what type of illicit discharge it is.
- Elimination – Once the type of illicit discharge has been identified staff will begin elimination. If it's a hazardous type of material it will be considered an emergency and staff will coordinate with the Smithville Area Fire District's hazardous material response unit to effectively address situations involving hazardous materials or pollutants. If it is determined not to be a hazardous material either staff or the Fire District can eliminate it. The plan provides guidelines for swift and effective elimination of the discharge. This may involve corrective measures, penalties, or other appropriate actions to prevent recurrence.

This plan also will require modification of the existing City ordinance to include a provision that requires facility owners or responsible individuals to promptly inform the

city if they become aware of or suspect any illicit discharges from their premises. In addition to the IDDE plan, DNR has also requested the establishment of agreements to oversee the maintenance of Best Management Practices (BMPs) such as retention basins. As a part of this we will provide a maintenance schedule that would need to be followed such as recommended mowing, reseeding to prevent erosion and checking for debris or trash. The second part of this will be an annual inspection. There will be a checklist that will be followed once a year by the owner or the person in charge. They will go through this checklist and see if they are in compliance. The third part of this is that they will now be required to request an inspection from the city every 2 years. As a part of this permit the city must perform inspections of the basins. This will help to make sure that everyone is in compliance and the basins are clean.

Staff has prepared an ordinance and relevant materials, which will be reviewed at the next Planning and Zoning Commission meeting on September 12. Both ordinances will be on the agenda at the September 19 meeting, seeking Board approval.

Alderman Russell stated that in the past we had discussed making the HOA's responsible for placing badges on the storm sewer inlets. What ever happened with this? He knows that a couple of HOA's have mentioned that they would help with this.

Chuck informed that the city acquired a bunch of badges that state "Drains to River" and last year a Boy's Scout troop placed them on a lot of the storm sewer inlets in the downtown area but we still have more to do. We have changed our requirements and now the storm sewer lids or the concrete will have the "Drains to Stream" emblem cast in it.

Alderman Russell also wanted to clarify that the HOA will be responsible to for requesting the inspection every two years.

Mayra confirmed that is correct.

Alderman Atkins asked what if they don't register.

Mayra explained that with our GIS system we now have an inventory so we will know. DNR also requests that we do an inspection on 60% of them. It will just make it a smoother process if they request the inspection.

Alderman Atkins asked if they have to buy a permit for the retention pond.

Mayra explained that the developer will have a permit to build the retention pond. But once it's built the city will perform inspections as part of its permit requirements through DNR (MS4 permit).

Alderman Wilson stated that she lives in a subdivision that doesn't have an HOA and is unsure if they have a retention pond and believes that Lake Meadows also doesn't have a retention pond. We wouldn't have that inspection, correct?

Mayra confirmed that was correct. It won't always be an HOA. Whoever owns the detention pond would be responsible for their basin.

Alderman Atkins asked if the forms will be put on the City's website.

Mayra confirmed that was correct. The plan will be available online as well as instructions.

Alderman Wilson asked what type of education will be available for the citizens to inform them of this new process.

Mayra explained that in past newsletters she has included information about notifying the City if you see something that doesn't look right. We will add something on the city's website for education.

Cynthia also explained that the city will reach out to all of the subdivisions and communicate that this is a new ordinance and explain what the requirements will be and their part in this.

Alderman Wilson asked if a meeting for the HOA's would be held at City Hall.

Chuck explained that a part of our permit is education and outreach to the community. There will be a whole education component. It's not created yet, but there will be a stormwater page on the city's website and the information will be located there.

Alderman Russell asked for more information on the whole detection process.

Mayra explained that as a part of the permit we have dry weather screening. Our GIS system has all of the outfalls identified. There are less than 70 of them. Our inspectors will look at the ones that we think are more likely to have something in them. In dry weather there shouldn't be anything in there but if they see foam or paint they will identify it. Other City employees may see something when performing their daily job duties and will let us know. Residents may also notice something and should notify us as well.

Alderman Russell asked if the Army Corps of Engineers is involved in this?

Mayra stated that would imagine that they already have something similar put into place.

Cynthia also explained that we have an ongoing relationship with the Corps and when there are situations that arise they will notify us if something is amiss. They have had MDNR and Waters of the States requirements for longer than what we have.

Mayor Boley asked Jack if all of the stormwater from the businesses drain to the creek not the lake.

Jack informed that is correct.

Alderman Hartman stated that he appreciates the exempt on non-stormwater discharges. It's important that when we get to the education piece we explain some of those differences. Educating those who live along rivers and streams that may water their livestock need to be aware to look at their water and report something if they see it. Someone who is dumping something that shouldn't go down their drain may not think it is a big deal but it can be a very serious.

Cynthia informed the Board that staff would continue to work on the outreach and communication plan.

**3. Adjourn**

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared the Work Session adjourned at 6:54 p.m.

---

Brandi Schuerger, Assistant City Clerk

---

Damien Boley, Mayor