

**SMITHVILLE BOARD OF ALDERMEN
REGULAR SESSION**

September 19, 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 6:58 p.m. following the work session. A quorum of the Board was present: Melissa Wilson, Leeah Shipley, Marv Atkins, Ronald Russell and Dan Ulledahl. Dan Hartman was present via Zoom.

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

2. Pledge of Allegiance lead by Mayor Boley

3. Proclamation

Constitution Week – September 17-23

Heather Ward accepted the Proclamation for the local Platte Purchase Chapter DAR.



4. Public Hearing – Property Tax Rate Levy

Mayor Boley noted that the public hearing for the property tax levy was being held to lower the property tax levy from 0.4126 to 0.3869.

Cynthia explained that the City annually sets the property tax rate. There have been discussions throughout the budget development process that we must wait on the tax information submitted by both Clay and Platte counties. Smithville is predominantly in Clay County, but we have a few residences in Platte County. She noted that we have to have the assessed valuations from the county assessor's office before we are able to use the state formula to come up with our tax rate. Once we have that, we have to submit that information to the Department of Revenue for them to review and approve. Only then can we post information for public hearing. The notice for the public hearing has to be posted

for one week. The City received the certified information from Clay County last Tuesday morning and worked to get it ready to post so that we would be able to have it on tonight's agenda. Staff had anticipated and has had ongoing discussions with the Board on the timing of this since it has happened this way for the last several years. Due to when we receive the assessed valuations from Clay County we are pushed right up to the deadline that the tax rate must be certified by the state at the end of this month. Staff typically anticipates every year doing this as an emergency Ordinance for approval for first and second reading during the same meeting because of the timing.

Cynthia explained that the Hancock Amendment outlines the formula by which we set the property tax rate. Based on those valuations we are only allowed to take growth from new construction and there is multiplier for Consumer Price Index (CPI) that allows a slight increase. The rates typically go down as assessed valuations go up. That is reflected in the rate this presented for review this evening. As the Mayor mentioned, for 2022 was 0.4126 which is just over 41 cents per hundred dollars of assessed valuation, and it rolls back to 0.3869 cents for 2023.

Cynthia explained that the notice of property tax levy hearing information did include some language that was confusing about this evening's meeting. That language is the language that had been used during concerns for public safety and meetings requiring modification that is the language we used when we were meeting with limited public or remote. She noted that when we were preparing for this meeting a number of staff were at a conference and trying to review the information on our phones and were more focused on ensuring that the numbers were reflected correctly in the public notice. Staff missed omitting the information about concerns for public safety and meetings requiring modification. Cynthia apologized for that confusion and noted that the information on the agenda was the correct information for the meeting.

Mayor Boley called the public hearing for the Property Tax Levy to order 7:04 p.m.

No Public Comment.

Mayor Boley declared the public hearing adjourned at 7:04 p.m.

5. Consent Agenda

- **Minutes**

- August 28, 2023 Board of Aldermen Special Session Minutes
- August 28, 2023 Board of Aldermen Work Session Minutes
- August 28, 2023 Board of Aldermen Special Session Minutes
- September 5, 2023, Board of Aldermen Work Session Minutes
- September 5, 2023, Board of Aldermen Regular Session Minutes

- **Financial Report**

- Finance Report for August 2023

- **Resolution 1268, DWI Enforcement Grant Agreement**

A Resolution authorizing and directing the Mayor to sign an agreement with the Missouri Highway and Transportation Commission for a DWI Enforcement Grant.

- **Resolution 1269, Hazardous Moving Violation Grant Agreement**

A Resolution authorizing and directing the Mayor to sign an agreement with Missouri Highway and Transportation Commission for a Hazardous Moving Violation Grant.

- **Resolution 1270, Destination Safe Grant Agreement**

A Resolution authorizing and directing the Mayor to sign an agreement with Missouri Highway and Transportation Commission for a Destination Safe Grant.

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

No discussion.

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

REPORTS FROM OFFICERS AND STANDING COMMITTEES

6. Committee Reports

Alderman Wilson reported on the September 12 Planning and Zoning Commission meeting. They received the update that we have 25 single-family residents permits so far this year and there are few more permits that should be submitted soon. They had a lengthy discussion regarding drafting of an Ordinance for short-term rentals.

The Commission was informed that discussions concerning electronic vehicle charging stations and accessory dwelling units will be brought before them for discussion.

Fairview Crossing North construction is progressing, and the transfer station site plan should be presented to Planning and Zoning soon.

The Comprehensive Dashboard is live on the city's website. Alderman Wilson shared how to access the Comprehensive Dashboard. On the City's homepage click Community then Get to Know Us and then under the 2030 comprehensive plan there's a link [Comprehensive Plan Dashboard](#) for you to access that dashboard and the instructions on how to use it.

7. City Administrator's Report

Cynthia Wagner noted that in a previous City Administrator's reports, she had explained that staff was working to develop the Comprehensive Plan Dashboard. With it being completed she acknowledged Jack Hendrix and Mayra Toothman for their efforts in putting that together. Cynthia explained that it is a useful interactive tool. She highly recommends people go out and take a look at it. The Comprehensive Plan Dashboard tracks the City's progress on the goals outlined in the Comprehensive Plan.

Cynthia noted that the contractor has successfully completed the street maintenance project, which includes crack sealing, microsurfacing, and striping. Work is progressing on the Quincy Boulevard, 4th Street and 4th Terrace improvements. Chuck Soules wants to express his appreciation to the neighbors on both of those projects. There is a lot going on in both of those neighborhoods and sometimes access has been hindered. The residents have been incredibly patient and are excited with the improvements that are occurring. They are really tremendous to work with and we appreciate it. Staff continues to work with contractors to minimize the impact of construction on those residents. Project updates can be found on the [City website](#) and are updated every Friday.

Cynthia noted that it has been the practice of the Board to move Board meetings which fall on election days in which City has questions on the ballot. With the Public Safety sales tax question being on the November 7 ballot we will move the meeting to Monday, November 6, prior to the election date. At this time there are only a couple of items on the agenda for November 6 that could potentially wait till the second meeting in November which is the Tuesday before Thanksgiving. Cynthia inquired if the Board wanted to have a meeting on November 6 or move the items to the November 21 meeting.

The Board agreed to have both meetings in November, Monday, November 6 and Tuesday, November 21 since there are items that will need two readings.

ORDINANCES & RESOLUTIONS

8. Bill No. 3004-23, Setting the 2023 Property Tax Rate – Emergency Ordinance – Sponsored by Mayor Boley - 1st and 2nd Reading

Alderman Ulledahl moved to approve Bill No. 3004-23, setting the property tax levy on all taxable property within the City of Smithville, Missouri for 2023. 1st reading by title only. Alderman Atkins seconded the motion.

Alderman Russell noted that this item needs to be done as an emergency Ordinance because of timing and it is to lower the property tax rate.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3004-23 approved first reading.

Alderman Ulledahl moved to approve Bill No. 3004-23, setting the property tax levy on all taxable property within the City of Smithville, Missouri for 2023. 2nd reading by title only. Alderman Atkins 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. 3004-23 approved.

9. Bill No. 3005-23, Stormwater Plan – Illicit Discharge – 1st Reading

Alderman Ulledahl moved to approved Bill No. 3005-23, amending Section 520.110 Dumping or Depositing Dirt, Rock or other Material and enacting in its place a new Section 520.110 Dumping or Depositing Dirt, Rock or other Material. 1st reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote:

Alderman Atkins - Aye, Alderman Russell - Aye, Alderman Ulledahl – Aye,

Alderman Shipley - Aye, Alderman Wilson – Aye, Alderman Hartman - Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3005-23 approved first reading.

10. Bill No. 3006-23, Amendment to the Subdivision Ordinance Stormwater Regulations – 1st Reading

Alderman Ulledahl moved to approved Bill No. 3006-23, repealing Section 425.180 Subdivision Maintenance Provisions of the subdivision regulations of the Smithville Municipal Code and re-enacting a new section 425.180. 1st reading by title only. Alderman Atkins seconded the motion.

Alderman Russell asked if staff would be trained for this and if there is a cost for the training.

Chuck Soules, Public Works Director explained that Mayra Toothman, Assistant to the Public Works Director, has been going to training for MS4 and once she is trained other staff will be trained through webinars provided by DNR and usually they are at no cost.

Chuck also noted that in the spring we will have information to provide to the HOAs and we will also have a stormwater page on the website.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3006-23 approved first reading.

11. Bill No. 3007-23. City Administrator’s Spending Authority – 1st Reading

Alderman Ulledahl moved to approve Bill No. 3007-23, awarding Bid No. 23-10, repealing Sections 150.030 and 150.040 of the Code of Ordinance and enacting in its place a new Section 150.030 and 150.040 for approval and competitive bidding. 1st reading by title only. Alderman Russell seconded the motion.

Upon roll call vote:

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

Ayes – 5, Noes – 1, motion carries. Mayor Boley declared Bill No. 3007-23 approved first reading.

12. Resolution 1271, Purchase of Drinking Fountains for Main Street Trail

Alderman Ulledahl moved to approve Resolution 1271, acknowledging and approving the expenditure of funds for the purchase of two Main Street Trail water fountains. Alderman Atkins seconded the motion.

Alderman Russell noted that it has been a nightmare trying to get the parts needed to do the repairs on the current water fountains.

Matt Denton, Parks and Recreation Director, noted that the current water fountains were supposed to be frost free but that was not the case, even though they claimed to be. Staff worked with Lexington Plumbing to come up with a better product. The new water fountains chosen will need to be winterized every year.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1271 approved.

OTHER MATTERS BEFORE THE BOARD

13. Public Comment

None

14. New Business from the Floor

None

15. Adjourn

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned at 7: 19 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor