



City of Smithville, Missouri
Board of Aldermen – Regular Session Agenda
January 17, 2023

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.

Public Comment can be made in person or via Zoom, if by 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 20, 2022, Board of Aldermen Regular Session Minutes

- **Finance Report**

- Financial Report for December 2022

- **Resolution 1163, TAP Grant Funding Application**

- A Resolution acknowledging Board of Aldermen support of a 2022 TAP Supplemental Grant Application for Maple Lane sidewalks.

- **Resolution 1164, Payment to Kansas City Board of Police Commissioners**

- A Resolution authorizing payment to the Kansas City Board of Police Commissioners for police academy training in the amount of \$10,478.36.

- **Resolution 1165, Crime Stoppers TIPS Hotline Program**

- A Resolution authorizing and directing the Mayor to execute a contract with the Kansas City Metropolitan Crime Commission to provide services to the City through participation in the TIPS Hotline Program.

- **Resolution 1166, Authorize Purchase of Utility Meters**

- A Resolution authorizing the expenditure of funds from the Combined Water and Wastewater System Fund for the purchase of utility meters from Kansas City Winnelson Company in the amount of \$19,375.72.

- **Resolution 1167, Acknowledging and Authorizing Payment to Mid-America Pump**

- A Resolution acknowledging and authorizing the expenditure of \$33,526.35 to Mid-America Pump for repairs to SBR#1 at the Wastewater Treatment Plant.

- **Resolution 1168, Leak Adjustment**

- A Resolution approving a water and wastewater leak adjustment for Cindy Hadley in the amount of \$454.82 for November and December utility bills.

Join Zoom Meeting

<https://us02web.zoom.us/j/84692746415>

Meeting ID: 846 9274 6415

Passcode: 476283

- **Resolution 1169, Authorize Payment for Utility Easement**
A Resolution authorizing the expenditure of \$9,240 for utility easements for the 144th Street West Interceptor Force Main.

REPORTS FROM OFFICERS AND STANDING COMMITTEES

4. Committee Reports

- Planning and Zoning Commission

5. City Administrator's Report

ORDINANCES & RESOLUTIONS

- 6. Bill No. 2969-22, Amending Zoning Code Related to Fences – 2nd Reading**
An Ordinance amending sections of Chapter 400, the zoning code related to fences. – 2nd reading by title only.
- 7. Bill No. 2970-22, Rezoning 18601 North 169 Highway from R-1B to R-3P – 2nd Reading**
An Ordinance rezoning a portion of 18601 North 169 Highway from R-1B to R-3P for the new Herzog Education Center. 2nd reading by title only.
- 8. Bill No. 2971-22, Rezoning Northeast Corner of Second Creek and Lowman Road from A-1 to R-1B and R-3 – 2nd Reading**
An Ordinance rezoning the northeast corner of Second Creek and Lowman Road from A-1 to R-1B and R-3 for a new Second Creek Meadows subdivision. 2nd reading by title only.
- 9. Bill No. 2972-23, Ballot Language for 3% Recreational Marijuana Sales Tax – Emergency Ordinance Sponsored by May Boley – 1st and 2nd Reading**
An Ordinance calling for the question of imposing a 3% sales tax for recreational marijuana on the ballot for the April 4, 2023 election. 1st and 2nd reading by title only.
- 10. Bill No. 2973-23, Destruction of Records – 1st Reading**
An Ordinance authorizing staff to proceed with the destruction of certain administrative and finance documents as authorized by the retention and destruction schedule approved by the Secretary of State's Office. 1st reading by title only.
- 11. Resolution 1170, Site Plan, 14991 North Industrial Drive**
A Resolution approving the site plan for a new 3,600ft² building at 14991 North Industrial Dr. for 14991 North Industrial Drive.
- 12. Resolution 1171, Preliminary Plat, Second Creek Meadows**
A Resolution approving the preliminary plat for a new residential subdivision to be called Second Creek Meadows with 53 Single Family lots and 17 multifamily lots to include 87 dwelling units.

OTHER MATTERS BEFORE THE BOARD

13. 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.

14. Appointment – Parks and Recreation Committee

15. 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.

16. Adjourn





Board of Aldermen Request for Action

MEETING DATE: 1/17/2023

DEPARTMENT:

Administration/Finance/Streets/Police

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:

- **Minutes**
 - December 20, 2022, Board of Aldermen Regular Session Minutes
- **Finance Report**
 - Financial Report for December 2022
- **Resolution 1163, TAP Grant Funding Application**

A Resolution acknowledging Board of Aldermen support of a 2022 TAP Supplemental Grant Application for Maple Lane sidewalks.
- **Resolution 1164, Authorizing Payment to KCPD Academy**

A Resolution authorizing payment the Kansas City Board of Police Commissioners for police academy training in the amount of \$10,478.36.
- **Resolution 1165, Crime Stoppers TIPS Hotline Program**

A Resolution authorizing and directing the Mayor to execute a contract with the Kansas City Metropolitan Crime Commission to provide services to the City through participation in the TIPS Hotline Program.
- **Resolution 1166, Authorize Purchase of Utility Meters**

A Resolution authorizing the expenditure of funds from the Combined Water and Wastewater System Fund for the purchase of utility meters from Kansas City Winnelson Company in the amount of \$19,375.72.
- **Resolution 1167, Authorize Payment to Mid America Pump**

A Resolution acknowledging and authorizing the expenditure of \$33,526.35 to Mid-America Pump for repairs to SBR#1 at the Wastewater Treatment Plant.
- **Resolution 1168, Leak Adjustment**

A Resolution approving the leak adjustment for Cindy Hadley in the amount of \$454.82 for November and December utility bills.
- **Resolution 1169, Authorizing Payment for Utility Easement**

A Resolution authorizing the expenditure of \$9,240 for utility easements for the 144th Street West Interceptor Force Main.

SUMMARY:

Voting to approve would approve the Board of Aldermen minutes, Finance Report and Resolutions.

PREVIOUS ACTION:

N/A

POLICY ISSUE:

N/A

FINANCIAL CONSIDERATIONS:

N/A

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 checked="" type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: Finance Report | |

**SMITHVILLE BOARD OF ALDERMEN
REGULAR SESSION**

December 20, 2022, 7:00 p.m.
City Hall Council Chambers and Via Videoconference

1. Call to Order

Mayor Boley, present, called the meeting to order at 7:00 p.m. A quorum of the Board was present: John Chevalier, Leeah Shipley, Marv Atkins and Dan Ulledahl. Dan Hartman was present via Zoom. Ronald Russell joined via Zoom at 7:02 p.m.

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

2. Pledge of Allegiance led by Mayor Boley

3. Consent Agenda

- **Minutes**

- December 6, 2022, Board of Aldermen Work Session Minutes
- December 6, 2022, Board of Aldermen Regular Session Minutes

- **Finance Report**

- Financial Report for November 2022

- **Resolution 1159, City Surplus**

A Resolution declaring certain city items as surplus.

- **Resolution 1160, Mutual Aid Intergovernmental Agreement**

A Resolution authorizing and directing the Mayor to enter into an intergovernmental agreement for mutual aid with the City of Excelsior Springs.

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

No discussion.

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

Alderman Russell joined the meeting at 7:02 p.m.

REPORTS FROM OFFICERS AND STANDING COMMITTEES

4. Committee Reports

Alderman Chevalier reported on the December 13 Planning and Zoning Commission Meeting. They discussed and approved several items that are on the agenda this evening. Alderman Chevalier noted the end of year totals for building permits are 58 single family residential building permits since January 1, 2022 with a total value of a little over \$16 million in valuation. Two new commercial construction permits for new buildings and 15 commercial tenant finish permits for remodeling for a total valuation of \$6.5 million.

5. City Administrator's Report

Chief Lockridge introduced newly promoted Detective Melissa Knowles. Detective Knowles has been with the department for almost three years. The selection committee picked her not only for her experiences but also for her tenacity, her attention to detail and for her drive.

Chief Lockridge asked Detective Knowles' mother and her daughter to perform the pinning of her Detective badge.



Cynthia Wagner, City Administrator, noted that City Hall will be closed Monday, December 26 for the Christmas holiday and Monday, January 2 for the New Year's holiday. Cynthia wished the governing body and the community a Merry Christmas and Happy New Year.

ORDINANCES & RESOLUTIONS

6. Bill No. 2966-22, Stormwater Revisions – 2nd Reading

Alderman Atkins moved to approve Bill No. 2966-22, amending Section 520.110, dumping or depositing dirt, rock, or other materials and adding the stormwater system to the language. 2nd reading by title only. Alderman Ulledahl seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2966-22 approved.

7. Bill No. 2967-22, Declaring the November 8, 2022 Election Results – 2nd Reading

Alderman Atkins moved to approve Bill No. 2967-22, declaring the election results for the November 8, 2022 questions to provide a four-year term of office for the Mayor and the

members of the Board of Aldermen. 2nd reading by title only. Alderman Ulledahl seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2967-22 approved.

8. Bill No. 2968-22, Accepting Gifted Land – Emergency Ordinance Sponsored by Mayor Boley - 1st and 2nd Reading

Alderman Ulledahl moved to approve Bill No. 2968-22, accepting gifted land from Gwendolyn C. Kemper for furthering the City's trail system. 1st reading by title only. Alderman Atkins seconded the motion.

Alderman Russell asked for clarification for the emergency ordinance.

Mayor Boley explained that this is for trail connectivity for Diamond Crest Subdivision to adjacent subdivisions. He noted that staff has been working on this for some time and want to get it wrapped up for the landowner by the end of the year.

Cynthia noted that it is also a tax issue for the landowner.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2968-22 approved first reading.

Alderman Ulledahl moved to approve Bill No. 2968-22, accepting gifted land from Gwendolyn C. Kemper for furthering the City's trail system. 2nd reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2968-22 approved.

9. Bill No. 2969-22, Amending Zoning Code Related to Fences – 1st Reading

Alderman Ulledahl moved to approve Bill No. 2969-22, amending sections of Chapter 400, the zoning code related to fences. 1st 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 Ulledahl - Aye, Alderman Russell – Aye, Alderman Atkins - Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2969-22 approved first reading.

10. Bill No. 2970-22, Rezoning 18601 North 169 Highway from R-1B to R-3P – 1st Reading

Alderman Ulledahl moved to approve Bill No. 2970-22, rezoning a portion of 18601 North 169 Highway from R-1B to R-3P for the new Herzog Education Center. 1st reading by title only. Alderman Chevalier seconded the motion.

No discussion.

Upon roll call vote:

Alderman Chevalier - 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. 2970-22 approved first reading.

11. Bill No. 2971-22, Rezoning Northeast Corner of Second Creek and Lowman Road from A-1 to R-1B and R-3 – 1st Reading

Alderman Ulledahl moved to approve Bill No. 2971-22, rezoning the northeast corner of Second Creek and Lowman Road from A-1 to R-1B and R-3 for a new Second Creek Meadows subdivision. 1st reading by title only. Alderman Chevalier seconded the motion.

Alderman Hartman recused himself and logged off Zoom.

Douglas Wilson, 20 East Franklin Street, Liberty, legal council for Roberta Lowman, noted that Ms. Lowman was contacted by a real estate agent about selling this property. He stated that Ms. Lowman would not sell this property without the restriction of it being developed with single family homes only, she did not want duplexes built on the land. Mr. Wilson noted that at the Planning and Zoning Commission meeting there was talk of duplexes being somewhere that teachers and police officers could afford to live. Mr. Wilson said that there was a breach of the purchase contract. He asked that the Board table this item since they will be taking this to court. He said that he has been part of city government and does not want to drag the city into this.

Jennifer Justus, 13317 Mount Olivet Road, noted that she is in favor of this. Ms. Justus said that she is a realtor and that it was her understanding that the restriction for only single-family homes was not filed in the deed for this parcel with the county. Ms. Justus noted that the plans for this subdivision meet with the City's Comprehensive Plan, which she was apart of the Comprehensive Plan process in 2019. She said that there is a clear need for housing in this community. Ms. Justus noted that she has spoken with several residents, some seniors, and they have indicated that something like this smaller footprint would better serve their needs in the future. It could also serve young adults wanting to move to the area after college. Ms. Justus noted that 41% if the people that participated in the Comprehensive Plan said that they anticipated a need of something like this. She said that this development does fall inline with what we need in Smithville.

Clayton Cox, 215 Doubletree Lane, noted that he is the current owner of this property. The name of his company is LMW Investment and the company purchased this parcel of land on January 21, 2020. Mr. Cox noted that everything was recorded with the county at that time and Ms. Lowman was paid for the purchase. Mr. Cox explained that he is selling the property because he had a private investor that does not want to move forward with the development due to the economy. He explained that he has to have the property zoned for the new developer in order to sell it.

Robert Hadley, 520 Second Creek Road, noted that he is not in favor of this development. He explained that his main reason is because of the water flow and what it will do. He noted that he has lived here his entire life and grew up with the flooding and had to move his furniture due to the rising water. Mr. Hadley explained that he is worried that building up the land where the duplexes are planned will displace the water and will raise the flood plain. He said he did not know what that would do environmentally or if an environmental impact study would be done for this issue before the Board would give final approval.

Alderman Chevalier asked for clarification that there was no restriction language in the deed filed with the county.

Mayor Boley noted that he and City staff reviewed the deed with the City Attorney today and that language was not in the deed. Mayor Boley explained that this is a rezoning not a court of law and based on the facts and findings and the applications they signed is what the Board has to go by.

Alderman Chevalier asked if the environmental study would be submitted as part of the site plan.

Jack Hendrix, Development Director, explained that information has already been submitted and will be presented to the Planning Commission in January.

Alderman Chevalier noted that it is not part of the zoning it is a separate issue.

Upon roll call vote:

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

Ayes – 4, Noes – 0, Abstain – 1, motion carries. Mayor Boley declared Bill No. 2971-22 approved first reading.

12. Resolution 1161, 122 North 169 Highway Site Plan Review – Former Price Chopper

Alderman Ulledahl moved to approve Resolution 1161, approving the Site Plan application to modify and improve the former Price Chopper building at 122 North 169 Highway by adding nine new suites for future tenants. Alderman Chevalier seconded the motion.

Alderman Russell asked who the area on the plans for fencing was for.

Alderman Hartman rejoined the meeting via Zoom.

Mayor Boley explained this is in accordance with the City Ordinance. He noted that we do not know who the tenants are at this time.

Alderman Chevalier noted that this reimaging and adding retail space is exactly what we were looking for when the Marketplace TIF was approved, and it is a win-win for the City.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1161 approved.

13. Resolution 1162, HHW Contract with MARC for 2023

Alderman Ulledahl moved to approve Resolution 1162, authorizing and directing the Mayor to enter into an agreement with Mid America Regional Council for disposal of Household Hazardous Waste for 2023. Alderman Russell seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1162 approved.

OTHER MATTERS BEFORE THE BOARD

14. Public Comment

None

15. Appointment – TIF Commission

The Mayor nominated appointments to the TIF Commission, and the Board voted:

Steve Sarver Adam Royds Kelly Kobylski

By roll call vote.

Steve Sarver

Alderman Shipley – Aye, Alderman Atkins – Aye, Alderman Russell – Aye,

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

Ayes – 6, Noes – 0, motion carries. The Mayor declared Steve Sarver a member of the TIF Commission.

Adam Royds

Alderman Atkins – Aye, Alderman Shipley – Aye, Alderman Chevalier – Aye,

Alderman Ulledahl – Aye, Alderman Russell – Aye, Alderman Hartman – Aye.

Ayes – 6, Noes – 0, motion carries. The Mayor declared Adam Royds a member of the TIF Commission.

Kelly Kobylski

Alderman Hartman – Aye, Alderman Russell – Aye, Alderman Atkins – Aye,

Alderman Chevalier – Aye, Alderman Ulledahl – Aye, Alderman Shipley – Aye.

Ayes – 6, Noes – 0, motion carries. The Mayor declared Kelly Kobylski a member of the TIF Commission.

16. New Business from the Floor

Mayor Boley reminded everyone that with the holidays there is no meeting on January 3. There will be a Planning and Zoning Commission meeting on January 10 and the next Board of Aldermen meeting will be January 17.

17. Adjournment to Executive Session Pursuant to Section 610.021(1&2)RSMo.

Alderman Ulledahl moved to adjourn to executive session pursuant to Section 610.021(1&2)RSMo. Alderman Atkins seconded the motion.

Upon roll call:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned to executive session at 7:31 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor



FY2023 BUDGET - FINANCIAL UPDATE

12/31/22

REVENUES, BY FUND	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	
GENERAL FUND	5,550,279.24	5,466,340.00	738,098.24	5,466,340.00	13.50%
CAPITAL PROJECTS FUND	289,753.81	40,000.00	-	40,000.00	0.00%
CAPITAL IMPROVEMENT SALES TAX FUND	692,937.19	1,160,435.00	127,579.99	1,160,435.00	10.99%
DEBT SERVICE FUND	351,550.00	354,845.00	-	354,845.00	0.00%
TRANSPORTATION SALES TAX FUND	623,946.76	589,713.00	108,348.67	589,713.00	18.37%
COMBINED WATER/WASTEWATER SYSTEMS FUND	6,221,872.64	9,340,817.00	885,942.97	9,340,817.00	9.48%
SANITATION FUND	813,121.89	915,860.00	134,432.72	915,860.00	14.68%
SPECIAL ALLOCATION FUND	689,849.17	705,000.00	77,769.67	705,000.00	11.03%
PARK & STORMWATER SALES TAX FUND	701,959.69	672,435.00	127,429.11	672,435.00	18.95%
VEHICLE AND EQUIPMENT REPLACEMENT FUND	368,778.35	422,100.00	85,721.83	422,100.00	20.31%
COMMONS CID FUND	350,438.80	380,250.00	73,561.44	380,250.00	19.35%
DONATION FUND	3,305.00	10,500.00	4,076.00	10,500.00	38.82%
AMERICAN RESCUE PLAN ACT FUND	1,120,698.48	-	-	-	
	17,778,491.02	20,058,295.00	2,362,960.64	20,058,295.00	11.78%

EXPENDITURES, BY FUND	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	
GENERAL FUND	5,853,698.64	6,310,310.00	896,720.46	6,310,310.00	14.21%
CAPITAL PROJECTS FUND	127,000.00	-	-	-	
CAPITAL IMPROVEMENT SALES TAX FUND	536,192.40	1,355,370.00	19,431.25	1,355,370.00	1.43%
DEBT SERVICE FUND	339,212.50	343,040.00	-	343,040.00	0.00%
TRANSPORTATION SALES TAX FUND	656,800.23	702,246.00	22,026.64	702,246.00	3.14%
COMBINED WATER/WASTEWATER SYSTEMS FUND	4,972,647.60	13,070,115.00	772,646.83	13,070,115.00	5.91%
SANITATION FUND	818,525.83	900,600.00	138,425.89	900,600.00	15.37%
SPECIAL ALLOCATION FUND	1,016,185.65	703,000.00	64,335.85	703,000.00	9.15%
PARK & STORMWATER SALES TAX FUND	329,898.48	497,750.00	25,416.25	497,750.00	5.11%
VEHICLE AND EQUIPMENT REPLACEMENT FUND	210,127.57	381,750.00	53,857.02	381,750.00	14.11%
COMMONS CID FUND	554,816.41	335,618.00	33,639.35	335,618.00	10.02%
DONATION FUND	-	20,000.00	6,086.65	20,000.00	
AMERICAN RESCUE PLAN ACT FUND	1,330,033.49	953,270.00	85,437.71	953,270.00	8.96%
	16,745,138.80	25,573,069.00	2,118,023.90	25,573,069.00	8.28%

GENERAL FUND

12/31/22

REVENUES, BY SOURCE	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	
PROPERTY TAXES	1,007,610.30	1,043,745.00	41,900.70	1,043,745.00	4.01%
SALES AND USE TAXES	2,122,572.19	2,068,284.00	355,124.21	2,068,284.00	17.17%
FRANCHISE TAXES	742,590.12	674,690.00	89,498.62	674,690.00	13.27%
OTHER TAXES	371,802.62	385,402.00	58,748.51	385,402.00	15.24%
LICENSES, FEES, AND PERMITS	402,259.69	408,964.00	62,061.51	408,964.00	15.18%
INTERGOVERNMENTAL REVENUES	48,263.29	53,210.00	11,372.49	53,210.00	21.37%
CHARGES FOR SERVICES	327,865.38	359,230.00	2,554.06	359,230.00	0.71%
FINES AND FORFEITS	123,682.24	117,775.00	25,028.00	117,775.00	21.25%
INTEREST	126,203.05	65,000.00	82,373.07	65,000.00	126.73%
DONATIONS	-	-	-	-	#DIV/0!
OTHER REVENUE	41,090.90	5,400.00	8,137.07	5,400.00	150.69%
DEBT ISSUED	8,281.91	3,300.00	-	3,300.00	
TRANSFERS IN	225,340.00	277,560.00	-	277,560.00	0.00%
	5,547,561.69	5,462,560.00	736,798.24	5,462,560.00	13.49%

EXPENDITURES, BY DEPARTMENT	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	
ADMINISTRATION	676,792.05	700,930.00	110,963.87	700,930.00	15.83%
STREET	1,086,191.52	1,452,960.00	162,187.59	1,452,960.00	11.16%
POLICE	2,304,749.38	2,227,070.00	363,074.58	2,227,070.00	16.30%
DEVELOPMENT	467,272.31	514,820.00	64,325.83	514,820.00	12.49%
FINANCE	443,700.30	466,260.00	79,225.83	466,260.00	16.99%
COURT	-	-	-	-	
PARKS & REC	786,066.42	859,000.00	107,601.36	859,000.00	12.53%
SENIOR CENTER	27,391.10	36,890.00	3,986.74	36,890.00	10.81%
ELECTED OFFICIALS	51,777.91	43,280.00	3,487.05	43,280.00	8.06%
ANIMAL SHELTER	9,757.65	9,100.00	1,867.61	9,100.00	20.52%
EMERGENCY	-	-	-	-	
	5,853,698.64	6,310,310.00	896,720.46	6,310,310.00	14.21%

ADMINISTRATION

12/31/2022

GENERAL FUND	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	Percent Spent
SALARIES & WAGES	293,981.84	317,640.00	44,480.86	317,640.00	14.00%
PART-TIME WAGES	33,442.35	37,500.00	6,525.00	37,500.00	17.40%
OVERTIME WAGES	-	-	-	-	
FICA EXPENSE	24,516.20	27,170.00	3,813.86	27,170.00	14.04%
EMPLOYEE BENEFITS	19,898.78	23,080.00	4,889.43	23,080.00	21.18%
WORKER'S COMPENSATION	564.31	760.00	-	760.00	0.00%
RETIREMENT EXPENSE	25,680.89	33,390.00	3,672.78	33,390.00	11.00%
UNEMPLOYMENT BENEFITS	3,728.56	-	-	-	
Personnel	401,812.93	439,540.00	63,381.93	439,540.00	14.42%
REPAIRS & MAINTENANCE - BLDG	6,680.97	9,170.00	11,320.04	9,170.00	123.45%
REPAIRS & MAINTENANCE - EQUIP	6,693.10	8,840.00	1,084.54	8,840.00	12.27%
REPAIRS & MAINTENANCE - VHICLES	-	-	-	-	
REPAIRS & MAINTENANCE - SFTWRE	18,115.03	19,400.00	915.90	19,400.00	4.72%
ELECTRICITY	1,305.28	2,050.00	144.14	2,050.00	7.03%
TELEPHONE/INTERNET	2,824.71	2,770.00	284.35	2,770.00	10.27%
MOBILE COMMUNICATIONS	2,410.07	2,490.00	412.80	2,490.00	16.58%
CAPITAL EXPENDITURES - EQUIP	-	19,000.00	8,449.16	19,000.00	44.47%
CAPITAL EXPENDITURES - SOFTWRE	-	60,000.00	-	60,000.00	0.00%
TOOLS & SUPPLIES	602.86	430.00	-	430.00	0.00%
Operation and Maintenance	38,632.02	124,150.00	22,610.93	124,150.00	18.21%
FUEL	-	-	-	-	
Contractual Services	-	-	-	-	
#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
Insurance	#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
TRAINING & TRAVEL EXPENSE	13,145.37	11,410.00	291.28	11,410.00	2.55%
OFFICE SUPPLIES	8,201.09	7,170.00	2,089.71	7,170.00	29.15%
POSTAGE	1,735.85	3,000.00	750.00	3,000.00	25.00%
Office and Administrative	#N/A	#N/A	#N/A	#N/A	#N/A
city events	-	-	-	-	
Capital Improvement Projects	-	-	-	-	
Transfers Out	-	-	-	-	
TOTAL GENERAL FUND	#N/A	#N/A	#N/A	#N/A	#VALUE!

PUBLIC WORKS (STREET)

12/31/2022

GENERAL FUND	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	Percent Spent
SALARIES & WAGES	429,174.71	497,450.00	70,039.42	497,450.00	14.08%
PART-TIME WAGES	20,971.42	22,360.00	3,363.32	22,360.00	15.04%
OVERTIME WAGES	8,795.94	8,000.00	47.87	8,000.00	0.60%
FICA EXPENSE	32,153.05	40,380.00	5,106.93	40,380.00	12.65%
EMPLOYEE BENEFITS	67,071.29	88,190.00	14,918.96	88,190.00	16.92%
WORKER'S COMPENSATION	32,136.78	42,610.00	-	42,610.00	0.00%
RETIREMENT EXPENSE	37,250.46	47,520.00	5,101.52	47,520.00	10.74%
UNIFORM EXPENSE	1,956.61	3,000.00	1,229.51	3,000.00	40.98%
Personnel	629,510.26	749,510.00	99,807.53	749,510.00	13.32%
REPAIRS & MAINTENANCE - BLDG	38.66	1,000.00	-	1,000.00	0.00%
REPAIRS & MAINTENANCE - EQUIP	1,620.45	1,490.00	190.26	1,490.00	12.77%
REPAIRS & MAINTENANCE - VEHICL	2,626.95	1,500.00	275.11	1,500.00	18.34%
REPAIRS & MAINTENANCE - SFWRE	103,135.53	9,940.00	1,625.40	9,940.00	16.35%
ELECTRICITY	85,999.58	94,300.00	15,046.49	94,300.00	15.96%
PROPANE	5,058.39	10,000.00	2,039.75	10,000.00	20.40%
TELEPHONE/INTERNET	5,838.69	4,630.00	889.83	4,630.00	19.22%
MOBILE COMMUNICATIONS	4,848.98	5,200.00	848.85	5,200.00	16.32%
CAPITAL EXPENDITURES - EQUIP	2,076.77	-	-	-	
CAPITAL EXPENDITURES - VEHICLE	-	-	-	-	
TOOLS & SUPPLIES	748.42	1,500.00	22.98	1,500.00	1.53%
FUEL	-	-	-	-	
Operation and Maintenance	211,992.42	129,560.00	20,938.67	129,560.00	16.16%
PROFESSIONAL SERVICES	161,454.97	212,070.00	6,009.85	212,070.00	2.83%
#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
Contractual Services	#N/A	#N/A	#N/A	#N/A	#N/A
DEDUCTIBLES	-	1,000.00	-	1,000.00	0.00%
Insurance	-	1,000.00	-	1,000.00	0.00%
INSURANCE EXPENSE	13,806.82	19,370.00	-	19,370.00	0.00%
TRAINING & TRAVEL EXPENSE	4,287.44	3,000.00	258.91	3,000.00	8.63%
#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
Office and Administrative	#N/A	#N/A	#N/A	#N/A	#N/A
MEMBERSHIPS & SUBSCRIPTIONS	1,354.52	950.00	-	950.00	0.00%
Capital Improvement Projects	1,354.52	950.00	-	950.00	0.00%
#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
Other Expenses	#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
Transfers Out	#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
TOTAL GENERAL FUND	#N/A	#N/A	#N/A	#N/A	

POLICE DEPARTMENT

12/31/2022

GENERAL FUND	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	Percent Spent
SALARIES & WAGES	1,085,225.89	1,189,510.00	194,479.04	1,189,510.00	16.35%
PART-TIME WAGES	16,026.31	19,900.00	2,346.64	19,900.00	11.79%
OVERTIME WAGES	100,484.98	67,600.00	18,399.95	67,600.00	27.22%
FICA EXPENSE	87,449.84	92,520.00	15,656.97	92,520.00	16.92%
EMPLOYEE BENEFITS	151,300.84	174,780.00	34,758.28	174,780.00	19.89%
WORKER'S COMPENSATION	49,832.93	62,840.00	-	62,840.00	0.00%
RETIREMENT EXPENSE	94,651.97	155,890.00	16,879.86	155,890.00	10.83%
UNIFORM EXPENSE	25,246.73	24,970.00	3,071.27	24,970.00	12.30%
Personnel	1,610,219.49	1,788,010.00	285,592.01	1,788,010.00	15.97%
REPAIRS & MAINT - BLDG	13,959.99	9,910.00	1,146.80	9,910.00	11.57%
REPAIRS & MAINTENANCE - EQUIP	10,139.37	9,110.00	5,259.35	9,110.00	57.73%
REPAIRS & MAINT - VEHICLES	46,768.94	23,960.00	10,440.21	23,960.00	43.57%
REPAIRS & MAINT - SOFTWARE	28,493.70	41,860.00	10,234.44	41,860.00	24.45%
ELECTRICITY	7,190.88	7,160.00	1,072.59	7,160.00	14.98%
TELEPHONE/INTERNET	5,636.02	7,730.00	465.32	7,730.00	6.02%
MOBILE COMMUNICATIONS	7,292.03	9,390.00	1,439.53	9,390.00	15.33%
CAPITAL EXPENDITURES - EQUIP	90,751.88	26,700.00	9,021.78	26,700.00	33.79%
CAPITAL EXPENDITURES - VEHICLE	415.38	-	-	-	-
CAPITAL EXPENDITURES - SFTWARE	20,200.87	2,500.00	-	2,500.00	0.00%
TOOLS & SUPPLIES	16,096.56	19,470.00	1,938.79	19,470.00	9.96%
FUEL	48,347.33	48,750.00	7,428.79	48,750.00	15.24%
ANIMAL CONTROL	-	500.00	-	500.00	0.00%
Operation and Maintenance	295,292.95	207,040.00	48,447.60	207,040.00	23.40%
PROFESSIONAL SERVICES	74,066.54	36,760.00	10,896.45	36,760.00	29.64%
DISPATCHING	71,104.49	72,560.00	11,799.66	72,560.00	16.26%
CONFINEMENT	3,425.21	6,000.00	639.21	6,000.00	10.65%
INSURANCE DEDUCTIBLES	-	1,000.00	-	1,000.00	0.00%
Contractual Services	148,596.24	116,320.00	23,335.32	116,320.00	20.06%
INSURANCE EXPENSE	51,193.79	56,120.00	-	56,120.00	0.00%
Insurance	51,193.79	56,120.00	-	56,120.00	0.00%
TRAINING & TRAVEL EXPENSE	33,971.78	28,810.00	3,032.75	28,810.00	10.53%
ACADEMY TRAINING	5,239.18	10,000.00	-	10,000.00	0.00%
OFFICE SUPPLIES EXPENSE	2,653.33	2,330.00	1,435.80	2,330.00	61.62%
POSTAGE	853.33	1,000.00	250.00	1,000.00	25.00%
Office and Administrative	42,717.62	42,140.00	4,718.55	42,140.00	11.20%
MEMBERSHIPS & SUBSCRIPTIONS	20,912.65	17,190.00	981.10	17,190.00	5.71%
Capital Improvement Projects	20,912.65	17,190.00	981.10	17,190.00	5.71%
CAPITAL IMPROVEMENT PROJECTS	-	-	-	-	-
MISCELLANEOUS EXPENSE	480.74	-	-	-	-
Other Expenses	480.74	-	-	-	-
Transfers Out	-	-	-	-	-
TOTAL GENERAL FUND	2,169,413.48	2,226,820.00	363,074.58	2,226,820.00	-

DEVELOPMENT

12/31/2022

GENERAL FUND	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	Percent Spent
SALARIES & WAGES	293,553.34	311,210.00	47,023.05	311,210.00	15.11%
OVERTIME WAGES	432.03	750.00	32.77	750.00	4.37%
FICA EXPENSE	21,349.44	23,870.00	3,387.83	23,870.00	14.19%
EMPLOYEE BENEFITS	31,549.52	36,050.00	6,169.40	36,050.00	17.11%
WORKER'S COMPENSATION	10,171.88	12,880.00	-	12,880.00	0.00%
RETIREMENT EXPENSE	25,870.89	29,330.00	3,904.57	29,330.00	13.31%
UNIFORM EXPENSE	764.20	1,800.00	-	1,800.00	0.00%
Personnel	383,691.30	415,890.00	60,517.62	415,890.00	14.55%
REPAIRS & MAINTENANCE - BLDG	1,449.52	1,320.00	219.60	1,320.00	16.64%
REPAIRS & MAINTENANCE - EQUIP	890.01	1,630.00	450.53	1,630.00	27.64%
REPAIRS & MAINT - VEHICLES	2,866.09	1,640.00	76.13	1,640.00	4.64%
REPAIRS & MAINT - SFTWRE/MAPS	25,097.94	23,560.00	254.40	23,560.00	1.08%
ELECTRICITY	1,083.19	1,410.00	144.14	1,410.00	10.22%
TELEPHONE/INTERNET	1,708.71	1,950.00	91.40	1,950.00	4.69%
MOBILE COMMUNICATIONS	1,867.06	2,200.00	303.68	2,200.00	13.80%
CAPITAL EXPENDITURES - EQUIP	3,166.99	1,600.00	950.59	1,600.00	59.41%
CAPITAL EXPENDITURES - VEHICLE	-	-	-	-	-
CAPITAL EXPENDITURES - HRDWARE	-	-	-	-	-
TOOLS & SUPPLIES	184.32	1,020.00	-	1,020.00	0.00%
FUEL	4,094.86	6,570.00	478.92	6,570.00	7.29%
Operation and Maintenance	42,408.69	42,900.00	2,969.39	42,900.00	6.92%
PROFESSIONAL SERVICES	27,640.88	36,190.00	55.31	36,190.00	0.15%
Contractual Services	27,640.88	36,190.00	55.31	36,190.00	0.15%
INSURANCE EXPENSE	6,537.74	7,210.00	-	7,210.00	0.00%
Insurance	6,537.74	7,210.00	-	7,210.00	0.00%
TRAINING & TRAVEL EXPENSE	2,612.28	3,000.00	-	3,000.00	0.00%
OFFICE SUPPLIES EXPENSE	1,046.45	1,000.00	247.15	1,000.00	24.72%
POSTAGE	1,140.27	1,800.00	133.45	1,800.00	7.41%
ADVERTISING	2,154.70	5,400.00	372.91	5,400.00	6.91%
MEMBERSHIPS & SUBSCRIPTIONS	40.00	1,430.00	30.00	1,430.00	2.10%
Office and Administrative	6,993.70	12,630.00	783.51	12,630.00	6.20%
Capital Improvement Projects	-	-	-	-	-
MISCELLANEOUS EXPENSE	-	-	-	-	-
Other Expenses	-	-	-	-	-
Debt - Principal	-	-	-	-	-
Debt - Interest	-	-	-	-	-
Transfers Out	-	-	-	-	-
TOTAL GENERAL FUND	467,272.31	514,820.00	64,325.83	514,820.00	12.49%



FINANCE DEPARTMENT

12/31/2022

GENERAL FUND	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	Percent Spent
SALARIES & WAGES	230,587.77	247,930.00	38,106.70	247,930.00	15.37%
PART-TIME WAGES	-	-	-	-	
OVERTIME WAGES	94.94	750.00	244.67	750.00	32.62%
FICA EXPENSE	16,960.54	19,030.00	2,826.14	19,030.00	14.85%
EMPLOYEE BENEFITS	40,531.98	50,450.00	7,429.56	50,450.00	14.73%
WORKER'S COMPENSATION	414.64	520.00	-	520.00	0.00%
RETIREMENT EXPENSE	19,653.90	23,380.00	3,181.97	23,380.00	13.61%
Personnel	308,243.77	342,060.00	51,789.04	342,060.00	15.14%
REPAIRS & MAINTENANCE - BLDG	915.24	880.00	146.40	880.00	16.64%
REPAIRS & MAINTENANCE - EQUIP	1,727.73	740.00	350.35	740.00	47.34%
REPAIRS & MAINTENANCE - SFTWRE	22,087.72	22,160.00	765.42	22,160.00	3.45%
ELECTRICITY	787.79	1,030.00	104.83	1,030.00	10.18%
TELEPHONE/INTERNET	1,132.32	1,380.00	54.01	1,380.00	3.91%
MOBILE COMMUNICATIONS	445.99	490.00	80.92	490.00	16.51%
CAPITAL EXPENDITURES - EQUIP	-	-	-	-	
TOOLS & SUPPLIES	302.71	1,340.00	581.20	1,340.00	43.37%
Operation and Maintenance	27,399.50	28,020.00	2,083.13	28,020.00	7.43%
PROFESSIONAL SERVICES	41,242.56	37,850.00	14,622.91	37,850.00	38.63%
Contractual Services	41,242.56	37,850.00	14,622.91	37,850.00	38.63%
INSURANCE EXPENSE	3,428.00	3,690.00	-	3,690.00	0.00%
Insurance	3,428.00	3,690.00	-	3,690.00	0.00%
TRAINING & TRAVEL EXPENSE	769.10	1,200.00	111.75	1,200.00	9.31%
OFFICE SUPPLIES	1,069.36	650.00	267.38	650.00	41.14%
ADVERTISING	-	260.00	-	260.00	0.00%
BANK CHARGES	61,033.01	52,010.00	10,276.62	52,010.00	19.76%
MEMBERSHIPS & SUBSCRIPTIONS	515.00	520.00	75.00	520.00	14.42%
Office and Administrative	63,386.47	54,640.00	10,730.75	54,640.00	19.64%
Capital Improvement Projects	-	-	-	-	
Other Expenses	-	-	-	-	
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
Transfers Out	-	-	-	-	
TOTAL GENERAL FUND	443,700.30	466,260.00	79,225.83	466,260.00	16.99%

MUNICIPAL COURT

GENERAL FUND	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	Percent Spent
salaries & wages	-	-	-	-	
part-time wages	-	-	-	-	
overtime wages	-	-	-	-	
fica expense	-	-	-	-	
employee benefits	-	-	-	-	
WORKER'S COMPENSATION	-	-	-	-	
retirement expense	-	-	-	-	
Personnel	-	-	-	-	
repairs & maintenance - bldg	-	-	-	-	
repairs & maintenance - equip	-	-	-	-	
repairs & maintenance - sftwre	-	-	-	-	
ELECTRICITY	-	-	-	-	
TELEPHONE/INTERNET	-	-	-	-	
capital expenditures - hrdwre	-	-	-	-	
tools & supplies	-	-	-	-	
Operation and Maintenance	-	-	-	-	
professional services	-	-	-	-	
Contractual Services	-	-	-	-	
insurance expense	-	-	-	-	
Insurance	-	-	-	-	
training & travel	-	-	-	-	
office supplies expense	-	-	-	-	
postage	-	-	-	-	
bank charges	-	-	-	-	
Office and Administrative	-	-	-	-	
Capital Improvement Projects	-	-	-	-	
Other Expenses	-	-	-	-	
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
Transfers Out	-	-	-	-	
TOTAL GENERAL FUND	-	-	-	-	

PARKS & RECREATION

12/31/2022

GENERAL FUND	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	Percent Spent
SALARIES & WAGES	263,511.32	321,350.00	45,378.87	321,350.00	14.12%
PART-TIME WAGES	17,576.48	21,840.00	-	21,840.00	0.00%
PART-TIME RECREATION WAGES	4,647.46	4,100.00	-	4,100.00	0.00%
OVERTIME WAGES	3,625.49	2,000.00	620.66	2,000.00	31.03%
FICA EXPENSE	21,503.89	26,730.00	3,496.95	26,730.00	13.08%
EMPLOYEE BENEFITS	30,541.75	56,220.00	5,827.58	56,220.00	10.37%
WORKER'S COMPENSATION	11,738.41	15,730.00	-	15,730.00	0.00%
RETIREMENT EXPENSE	18,556.94	30,400.00	3,069.50	30,400.00	10.10%
UNIFORM EXPENSE	2,428.34	3,250.00	1,550.53	3,250.00	47.71%
Personnel	374,130.08	481,620.00	59,944.09	481,620.00	12.45%
REPAIRS & MAINTENANCE - BLDG	2,568.07	1,000.00	124.54	1,000.00	12.45%
REPAIRS & MAINTENANCE - EQUIP	34,033.23	11,500.00	4,288.04	11,500.00	37.29%
REPAIRS & MAINTENANCE - VEHICLE	295.81	750.00	-	750.00	0.00%
REPAIRS & MAINT - INFRASTRUCTR	7,694.71	21,000.00	6,280.81	21,000.00	29.91%
REPAIRS & MAINT - PARKS	13,920.35	19,000.00	3,617.11	19,000.00	19.04%
REPAIRS & MAINT - SOFTWARE	14,468.59	15,420.00	2,635.64	15,420.00	17.09%
REPAIRS & MAINT - SMITH'S FORK	109,752.67	10,000.00	8,400.55	10,000.00	84.01%
ELECTRICITY	28,060.96	32,400.00	3,794.34	32,400.00	11.71%
PROPANE	5,387.10	9,000.00	1,373.10	9,000.00	15.26%
TELEPHONE/INTERNET	6,392.63	7,250.00	905.93	7,250.00	12.50%
MOBILE COMMUNICATIONS	2,989.98	3,260.00	608.38	3,260.00	18.66%
CAPITAL EXPENDITURES - EQUIP	-	-	-	-	-
CAPITAL EXPENDITURES - VEHICLE	-	47,850.00	-	47,850.00	0.00%
CAPITAL EXPENDITURES - HRDWARE	-	-	-	-	-
CAPITAL EXPENDITURES - BLDG	-	-	-	-	-
TOOLS & SUPPLIES	8,017.12	6,000.00	429.96	6,000.00	7.17%
FUEL	16,849.31	12,380.00	813.77	12,380.00	6.57%
recreation	-	-	-	-	-
YOUTH REC LEAGUE UNIFORMS	19,920.45	20,010.00	61.98	20,010.00	0.31%
YOUTH REC LEAGUE UMPIRES	18,003.93	12,320.00	2,457.50	12,320.00	19.95%
ADULT REC LEAGUE UNIFORMS	-	1,000.00	-	1,000.00	0.00%
ADULT REC LEAGUE OFFICIALS	-	1,000.00	-	1,000.00	0.00%
REC LEAGUE BACKGROUND CHECKS	400.42	720.00	-	720.00	0.00%
REC LEAGUE SUPPLIES/AWARDS	15,035.30	27,010.00	4,200.76	27,010.00	15.55%
REC LEAGUE ADVERTISING	1,195.37	1,000.00	-	1,000.00	0.00%
Operation and Maintenance	304,986.00	259,870.00	39,992.41	259,870.00	15.39%
BIKE RACE	1,488.67	11,550.00	-	11,550.00	0.00%
PROFESSIONAL SERVICES	14,672.45	5,310.00	4,171.84	5,310.00	78.57%
LEASE PAYMENTS	38,701.20	40,640.00	-	40,640.00	0.00%
CAMP HOST SERVICES	14,700.00	14,700.00	-	14,700.00	0.00%
FIREWORKS DISPLAY	16,000.00	16,000.00	-	16,000.00	0.00%
Contractual Services	85,562.32	88,200.00	4,171.84	88,200.00	4.73%
MOVIE NIGHTS	2,062.07	2,400.00	-	2,400.00	0.00%
Insurance	2,062.07	2,400.00	-	2,400.00	0.00%
INSURANCE EXPENSE	12,701.27	15,500.00	-	15,500.00	0.00%
TRAINING & TRAVEL EXPENSE	3,639.83	7,890.00	210.00	7,890.00	2.66%
OFFICE SUPPLIES	534.52	750.00	2,318.02	750.00	309.07%
POSTAGE	-	-	-	-	-
ADVERTISING	2,125.33	1,000.00	195.00	1,000.00	19.50%
MEMBERSHIPS	325.00	770.00	770.00	770.00	100.00%
Office and Administrative	19,325.95	25,910.00	3,493.02	25,910.00	13.48%
CAPITAL IMPROVEMENT PROJECTS	-	-	-	-	-
Capital Improvement Projects	-	-	-	-	-
Debt - Principal	-	-	-	-	-
Debt - Interest	-	-	-	-	-
Transfers Out	-	-	-	-	-
TOTAL GENERAL FUND	786,066.42	858,000.00	107,601.36	858,000.00	-

SENIOR CENTER

12/31/2022

GENERAL FUND	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	Percent Spent
<hr/>					
Personnel	-	-	-	-	
REPAIRS & MAINTENANCE - BLDG	10,663.97	8,180.00	451.48	8,180.00	5.52%
ELECTRICITY	2,206.69	1,740.00	347.70	1,740.00	19.98%
NATURAL GAS	1,134.35	1,560.00	151.23	1,560.00	9.69%
TELEPHONE/INTERNET	1,641.89	1,970.00	340.83	1,970.00	17.30%
TOOLS & SUPPLIES	99.85	2,750.00	-	2,750.00	0.00%
Operation and Maintenance	15,746.75	16,200.00	1,291.24	16,200.00	7.97%
PROFESSIONAL SERVICES	7,855.25	16,900.00	2,695.50	16,900.00	15.95%
Contractual Services	7,855.25	16,900.00	2,695.50	16,900.00	15.95%
INSURANCE	3,789.10	3,790.00	-	3,790.00	0.00%
Insurance	3,789.10	3,790.00	-	3,790.00	0.00%
<hr/>					
Office and Administrative	-	-	-	-	
CAPITAL IMPROVEMENT PROJECTS	-	-	-	-	
Capital Improvement Projects	-	-	-	-	
<hr/>					
Other Expenses	-	-	-	-	
<hr/>					
Debt - Principal	-	-	-	-	
<hr/>					
Debt - Interest	-	-	-	-	
<hr/>					
Transfers Out	-	-	-	-	
<hr/>					
TOTAL GENERAL FUND	27,391.10	36,890.00	3,986.74	36,890.00	10.81%



ELECTED OFFICIALS

12/31/2022

GENERAL FUND	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	Percent Spent
PART-TIME WAGES	14,550.00	15,150.00	2,400.00	15,150.00	15.84%
FICA EXPENSE	1,113.44	1,160.00	183.66	1,160.00	15.83%
WORKER'S COMPENSATION	30.34	40.00	-	40.00	0.00%
Personnel	15,693.78	16,350.00	2,583.66	16,350.00	15.80%
WORKER'S COMPENSATION	-	-	-	-	
REPAIRS & MAINTENANCE - BLDG	1,163.55	1,320.00	195.20	1,320.00	14.79%
REPAIRS & MAINT - SOFTWARE	1,067.08	2,140.00	251.16	2,140.00	11.74%
ELECTRICITY	1,378.63	1,160.00	183.46	1,160.00	15.82%
TELEPHONE/INTERNET	1,383.91	1,590.00	116.34	1,590.00	7.32%
MOBILE COMMUNICATIONS	-	-	-	-	
TOOLS & SUPPLIES	7.50	220.00	-	220.00	0.00%
Operation and Maintenance	5,000.67	6,430.00	746.16	6,430.00	11.60%
COMMUNITY RELATIONS ALLOWANCE	-	-	-	-	
Contractual Services	-	-	-	-	
PROFESSIONAL SERVICES	14,266.46	5,160.00	55.37	5,160.00	1.07%
Insurance	14,266.46	5,160.00	55.37	5,160.00	1.07%
INSURANCE EXPENSE	1,363.42	1,660.00	-	1,660.00	0.00%
TRAINING & TRAVEL EXPENSE	1,905.72	2,750.00	25.00	2,750.00	0.91%
OFFICE SUPPLIES	563.61	1,000.00	76.86	1,000.00	7.69%
ADVERTISING	12,199.25	8,350.00	-	8,350.00	0.00%
MEMBERSHIPS & SUBSCRIPTIONS	785.00	1,580.00	-	1,580.00	0.00%
Office and Administrative	16,817.00	15,340.00	101.86	15,340.00	0.66%
Capital Improvement Projects	-	-	-	-	
Other Expenses	-	-	-	-	
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
Transfers Out	-	-	-	-	
TOTAL GENERAL FUND	51,777.91	43,280.00	3,487.05	43,280.00	8.06%

ANIMAL SHELTER

12/31/2022

GENERAL FUND	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	Percent Spent
<hr/>					
Personnel	-	-	-	-	
REPAIRS & MAINT - BLDG	853.46	600.00	654.85	600.00	109.14%
TOOLS & SUPPLIES	1,584.57	1,500.00	262.61	1,500.00	17.51%
Operation and Maintenance	2,438.03	2,100.00	917.46	2,100.00	43.69%
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PROFESSIONAL SERVICES	7,141.62	6,000.00	950.15	6,000.00	15.84%
Contractual Services	7,141.62	6,000.00	950.15	6,000.00	15.84%
<hr/>					
Insurance	-	-	-	-	
<hr/>					
ADVERTISING	-	-	-	-	
<hr/>					
Office and Administrative	-	-	-	-	
<hr/>					
TRAINING & TRAVEL	178.00	1,000.00	-	1,000.00	0.00%
Capital Improvement Projects	178.00	1,000.00	-	1,000.00	0.00%
<hr/>					
Other Expenses	-	-	-	-	
<hr/>					
Debt - Principal	-	-	-	-	
<hr/>					
Debt - Interest	-	-	-	-	
<hr/>					
Transfers Out	-	-	-	-	
<hr/>					
TOTAL GENERAL FUND	9,757.65	9,100.00	1,867.61	9,100.00	20.52%



SPECIAL ALLOCATION FUND (MARKETPLACE TIF)

12/31/22

REVENUES, BY SOURCE	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	
PROPERTY TAXES	189,504.87	195,000.00	348.76	195,000.00	0.18%
SALES AND USE TAXES	500,344.30	510,000.00	77,420.91	510,000.00	15.18%
	689,849.17	705,000.00	77,769.67	705,000.00	11.03%

EXPENDITURES, BY DEPARTMENT	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	
ADMINISTRATION	1,016,185.65	703,000.00	64,335.85	703,000.00	9.15%
	1,016,185.65	703,000.00	64,335.85	703,000.00	9.15%



SPECIAL ALLOCATION FUND (MARKETPLACE TIF)

12/31/22

SPECIAL ALLOCATION FUND	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	Percent Spent
PROFESSIONAL SERVICES	-	-	-	-	
Transfers Out	-	-	-	-	
TOTAL SPECIAL ALLOCATION FUND	-	-	-	-	



CAPITAL PROJECTS FUND

12/31/22

REVENUES, BY SOURCE	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	
INTERGOVERNMENTAL REVENUES	-	-	-	-	
DEBT ISSUED	-	-	-	-	
TRANSFERS IN	112,274.47	-	-	-	#DIV/0!
PARK IMPROVEMENT REVENUE	77,479.34	40,000.00	-	40,000.00	
	112,274.47	-	-	-	#DIV/0!

EXPENDITURES, BY DEPARTMENT	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	
STREET	127,000.00	-	-	-	#DIV/0!
	127,000.00	-	-	-	#DIV/0!



CAPITAL PROJECTS FUND

12/31/22

CAPITAL PROJECTS FUND	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	Percent Spent
Personnel	-	-	-	-	
Operation and Maintenance	-	-	-	-	
TRANSFERS OUT	463,824.47	355,370.00	-	355,370.00	0.00%
Contractual Services	463,824.47	355,370.00	-	355,370.00	0.00%
Insurance	-	-	-	-	
Office and Administrative	-	-	-	-	
PROFESSIONAL SERVICES	-	-	-	-	
PARK IMPROVEMENT EXPENSE	-	-	-	-	
Capital Improvement Projects	-	-	-	-	
Other Expenses	-	-	-	-	
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
TOTAL CAPITAL PROJECTS FUND	463,824.47	355,370.00	-	355,370.00	



TRANSPORTATION SALES TAX FUND

12/31/22

REVENUES, BY SOURCE	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	
SALES AND USE TAXES	608,120.52	589,713.00	108,348.67	589,713.00	18.37%
PROCEEDS FROM DEBT ISSUED	-	-	-	-	
TRANSFERS IN	-	-	-	-	
	608,120.52	589,713.00	108,348.67	589,713.00	18.37%

EXPENDITURES, BY DEPARTMENT	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	
STREET	656,800.23	702,246.00	22,026.64	702,246.00	3.14%
	656,800.23	702,246.00	22,026.64	702,246.00	3.14%

TRANSPORTATION SALES TAX FUND

12/31/22

TRANSPORTATION SALES TAX FUND	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	Percent Spent
<hr/>					
Personnel	-	-	-	-	
TRANSFERS OUT	20,000.00	35,000.00	35,000.00	35,000.00	100.00%
REPAIRS & MAINTENANCE - BLDG	1,753.72	1,000.00	232.58	1,000.00	23.26%
REPAIRS & MAINTENANCE - EQUIP	15,897.09	15,000.00	5,713.86	15,000.00	38.09%
#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
CAPITAL EXPENDITURES - EQUIP	18,500.00	6,960.00	-	6,960.00	0.00%
SUPPLIES - STREET SIGNS	-	-	-	-	
Operation and Maintenance	#N/A	#N/A	#N/A	#N/A	#N/A
FUEL	18,948.76	17,820.00	1,879.98	17,820.00	
Contractual Services	18,948.76	17,820.00	1,879.98	17,820.00	
LEASE PAYMENTS	38,969.28	35,010.00	-	35,010.00	0.00%
Insurance	38,969.28	35,010.00	-	35,010.00	0.00%
INSURANCE EXPENSE	-	-	-	-	
Office and Administrative	-	-	-	-	
<hr/>					
Capital Improvement Projects	-	-	-	-	
<hr/>					
Other Expenses	-	-	-	-	
PROFESSIONAL SERVICES	3,721.47	105,000.00	-	105,000.00	0.00%
Debt - Principal	3,721.47	105,000.00	-	105,000.00	0.00%
TOOLS & SUPPLIES	6,388.47	41,000.00	713.93	41,000.00	1.74%
Debt - Interest	6,388.47	41,000.00	713.93	41,000.00	1.74%
<hr/>					
Transfers Out	-	-	-	-	
<hr/>					
TRANSPORTATION SALES TAX FUND	#N/A	#N/A	#N/A	#N/A	#N/A



CAPITAL IMPROVEMENT SALES TAX FUND

12/31/22

REVENUES, BY SOURCE	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	
SALES AND USE TAXES	692,937.19	672,435.00	127,579.99	672,435.00	18.97%
TRANSFERS IN	-	-	-	-	
	692,937.19	672,435.00	127,579.99	672,435.00	18.97%

EXPENDITURES, BY DEPARTMENT	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	
STREET	536,192.40	1,355,370.00	19,431.25	1,355,370.00	1.43%
	536,192.40	1,355,370.00	19,431.25	1,355,370.00	1.43%



CAPITAL IMPROVEMENT SALES TAX FUND

12/31/22

CAPITAL IMPROVE SALES TAX FUND	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	Percent Spent
Office and Administrative	-	-	-	-	
PROFESSIONAL SERVICES	72,367.93	109,000.00	19,431.25	109,000.00	17.83%
Capital Improvement Projects	72,367.93	109,000.00	19,431.25	109,000.00	17.83%
Other Expenses	-	-	-	-	
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
CAPITAL IMPROVEMENT PROJECTS	-	891,000.00	-	891,000.00	0.00%
Transfers Out	-	891,000.00	-	891,000.00	0.00%
TOTAL CAPITAL IMPROVE SALES TAX FUND	72,367.93	1,000,000.00	19,431.25	1,000,000.00	



DEBT SERVICE FUND

12/31/22

REVENUES, BY SOURCE	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	
PROPERTY TAXES	-	-	-	-	
TRANSFERS IN	351,550.00	354,845.00	-	354,845.00	0.00%
	351,550.00	354,845.00	-	354,845.00	0.00%

EXPENDITURES, BY DEPARTMENT	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	
STREET	339,212.50	343,040.00	-	343,040.00	0.00%
	339,212.50	343,040.00	-	343,040.00	0.00%



DEBT SERVICE FUND

12/31/22

DEBT SERVICE FUND	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	Percent Spent
Capital Improvement Projects	-	-	-	-	
Other Expenses	-	-	-	-	
LEASE PAYMENTS	145,000.00	155,000.00	-	155,000.00	0.00%
Debt - Principal	145,000.00	155,000.00	-	155,000.00	0.00%
INTEREST	194,212.50	188,040.00	-	188,040.00	0.00%
Debt - Interest	194,212.50	188,040.00	-	188,040.00	0.00%
Transfers Out	-	-	-	-	
TOTAL DEBT SERVICE FUND	339,212.50	343,040.00	-	343,040.00	



WATER & WASTEWATER SYSTEMS FUND

12/31/22

REVENUES, BY SOURCE	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	
LICENSES, FEES, AND PERMITS	-	-	-	-	
CHARGES FOR SERVICES	5,857,343.35	5,070,817.00	859,961.51	5,070,817.00	16.96%
IMPACT FEES	283,906.00	330,000.00	15,600.00	330,000.00	4.73%
OTHER REVENUE	37,079.81	-	7,634.00	-	
DEBT ISSUED	43,543.48	3,940,000.00	2,447.46	3,940,000.00	0.06%
TRANSFERS IN	-	-	-	-	
	6,221,872.64	9,340,817.00	885,642.97	9,340,817.00	9.48%

EXPENDITURES, BY DEPARTMENT	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	
UTILITIES	4,972,647.60	13,070,115.00	772,646.83	13,070,115.00	5.91%
	4,972,647.60	13,070,115.00	772,646.83	13,070,115.00	5.91%

CWWS FUND	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	Percent Spent
SALARIES & WAGES	777,255.74	912,150.00	125,044.07	912,150.00	13.71%
OVERTIME WAGES	28,068.48	20,000.00	4,544.62	20,000.00	22.72%
FICA EXPENSE	59,721.82	71,310.00	9,508.16	71,310.00	13.33%
EMPLOYEE BENEFITS	94,132.53	123,760.00	19,234.39	123,760.00	15.54%
WORKER'S COMPENSATION	35,672.44	47,920.00	-	47,920.00	0.00%
RETIREMENT EXPENSE	68,589.85	87,630.00	10,528.12	87,630.00	12.01%
UNIFORM EXPENSE	6,201.53	9,000.00	3,975.74	9,000.00	44.17%
Personnel	1,069,642.39	1,271,770.00	172,835.10	1,271,770.00	13.59%
REPAIRS & MAINTENANCE - EQUIP	5,040.58	6,990.00	6,375.41	6,990.00	91.21%
REPAIRS & MAINTENANCE- VEHICLES	2,968.05	3,000.00	24.49	3,000.00	0.82%
REPAIRS & MAINT - WATER LINES	77,932.59	88,500.00	10,225.73	88,500.00	11.55%
REPAIRS & MAINT - SEWER LINES	149,136.80	200,000.00	102,614.25	200,000.00	51.31%
REPAIRS & MAINT - WATER PLANT	76,796.75	294,000.00	1,196.28	294,000.00	0.41%
REPAIRS & MAINT - WW PLANT	167,406.00	180,000.00	49,009.84	180,000.00	27.23%
REPAIRS & MAINT - SOFTWARE	13,409.27	25,730.00	1,010.79	25,730.00	3.93%
REPAIRS & MAINT - WATER TOWERS	110,294.84	126,270.00	27,816.74	126,270.00	22.03%
ELECTRICITY	242,199.15	243,490.00	39,728.66	243,490.00	16.32%
PROPANE	5,814.00	15,000.00	796.00	15,000.00	5.31%
TELEPHONE/INTERNET	15,161.57	12,250.00	2,731.06	12,250.00	22.29%
MOBILE COMMUNICATIONS	10,041.33	10,850.00	1,553.58	10,850.00	14.32%
CAPITAL EXPENDITURES - EQUIP	4,153.55	15,000.00	16,856.07	15,000.00	112.37%
CAPITAL EXPENDITURES - VEHICLE	-	-	-	-	-
CAPITAL EXPENDITURES - SOFTWARE	97,950.00	1,500.00	-	1,500.00	0.00%
CAPITAL EXPENDITURES - HRDWRE	-	-	-	-	-
CAPITAL EXPENDITURES - TOWERS	-	-	-	-	-
CAPITAL EXPENDITURES - BLDG	9,840.00	-	-	-	-
CAPITAL EXPENDITURES - WATER P	-	-	-	-	-
CAPITAL EXPENDITURES - WW PLAN	-	-	-	-	-
CAPITAL EXPENDITURES - LINES	-	-	-	-	-
TOOLS & SUPPLIES	26,644.02	25,000.00	3,149.91	25,000.00	12.60%
SUPPLIES - CONNECTIONS	76,695.45	90,000.00	11,527.30	90,000.00	12.81%
SUPPLIES - LAB	26,894.64	30,000.00	6,972.89	30,000.00	23.24%
SUPPLIES - WATER CHEMICALS	157,562.11	150,000.00	43,712.98	150,000.00	29.14%
SUPPLIES - WW CHEMICALS	10,264.38	15,000.00	2,773.69	15,000.00	18.49%
FUEL	19,503.91	18,600.00	4,068.43	18,600.00	21.87%
Operation and Maintenance	1,305,708.99	1,551,180.00	332,144.10	1,551,180.00	21.41%
PROFESSIONAL SERVICES	618,079.49	1,060,330.00	50,587.05	1,060,330.00	4.77%
EASEMENT ACQUISITION	-	-	-	-	-
DEBT PRINCIPAL PAYMENTS	548,750.81	372,147.00	20.00	372,147.00	0.01%
Contractual Services	1,166,830.30	1,432,477.00	50,607.05	1,432,477.00	3.53%
WASTEWATER TREATMENT SERVICE	127,167.30	136,850.00	21,812.70	136,850.00	15.94%
Insurance	127,167.30	136,850.00	21,812.70	136,850.00	15.94%
INSURANCE EXPENSE	79,220.49	71,720.00	-	71,720.00	0.00%
OTHER LEASE EXPENSE	-	-	-	-	-
TRAINING & TRAVEL EXPENSE	3,461.10	7,500.00	511.22	7,500.00	6.82%
OFFICE SUPPLIES	1,514.25	6,000.00	766.14	6,000.00	12.77%
POSTAGE	2,040.34	1,500.00	173.56	1,500.00	11.57%
ADVERTISING	-	250.00	-	250.00	0.00%
Office and Administrative	86,236.18	86,970.00	1,450.92	86,970.00	1.67%
#/N/A	#/N/A	#/N/A	#/N/A	#/N/A	#/N/A
#/N/A	#/N/A	#/N/A	#/N/A	#/N/A	#/N/A
CAPITAL IMPROVEMENT PROJECTS	826,651.85	7,016,900.00	156,906.01	7,016,900.00	2.24%
Capital Improvement Projects	#/N/A	#/N/A	#/N/A	#/N/A	#/N/A
WATER IMPACT PROJECTS	-	200,000.00	-	200,000.00	0.00%
WASTEWATER IMPACT PROJECTS	-	700,000.00	-	700,000.00	0.00%
AMORTIZATION EXPENSE	-	-	-	-	-
Other Expenses	-	900,000.00	-	900,000.00	0.00%
Debt - Principal	-	-	-	-	-
MEMBERSHIPS & SUBSCRIPTIONS	1,040.99	380.00	35.95	380.00	9.46%
Debt - Interest	1,040.99	380.00	35.95	380.00	9.46%
#/N/A	#/N/A	#/N/A	#/N/A	#/N/A	#/N/A
Transfers Out	#/N/A	#/N/A	#/N/A	#/N/A	#/N/A
TOTAL CWWS FUND	#/N/A	#/N/A	#/N/A	#/N/A	#/N/A



SANITATION FUND

12/31/22

REVENUES, BY SOURCE					
	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	
CHARGES FOR SERVICES	813,121.89	915,860.00	134,432.72	915,860.00	14.68%
TRANSFERS IN	-	-	-	-	
	813,121.89	915,860.00	134,432.72	915,860.00	14.68%

EXPENDITURES, BY DEPARTMENT					
	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	
ADMIN	818,525.83	900,600.00	138,425.89	900,600.00	15.37%
	818,525.83	900,600.00	138,425.89	900,600.00	15.37%



SANITATION FUND

12/31/22

SANITATION FUND	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection	Percent Spent
<hr/>					
Personnel	-	-	-	-	
#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
SOLID WASTE SERVICES	807,183.29	887,970.00	138,425.89	887,970.00	15.59%
RECYCLING SERVICES	-	-	-	-	
HOUSEHOLD HAZARDOUS WASTE	11,342.54	12,630.00	-	12,630.00	0.00%
Operation and Maintenance	#N/A	#N/A	#N/A	#N/A	#N/A
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Contractual Services	-	-	-	-	
<hr/>					
Debt - Principal	-	-	-	-	
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Debt - Interest	-	-	-	-	
<hr/>					
RECYCLING SERVICES	-	-	-	-	
<hr/>					
Transfers Out	-	-	-	-	
<hr/>					
TOTAL SANITATION FUND	#N/A	#N/A	#N/A	#N/A	



PARK AND STORMWATER SALES TAX FUND

12/31/22

REVENUES, BY SOURCE	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection
PARK & STRMWTR SALES TAX	690,959.69	672,435.00	127,429.11	672,435.00
MISCELLANEOUS REVENUE	11,000.00	-	-	-
	701,959.69	672,435.00	127,429.11	672,435.00

EXPENDITURES, BY DEPARTMENT	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection
PARKS & RECREATION	282,573.48	30,000.00	-	30,000.00
UTILITIES	47,325.00	467,750.00	25,416.25	467,750.00
	47,325.00	497,750.00	25,416.25	467,750.00



VEHICLE AND EQUIPMENT REPLACE FUND

12/31/22

REVENUES, BY SOURCE	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection
SALE OF PERSONAL PROPERTY	193,778.35	352,100.00	15,721.83	352,100.00
TRANSFERS IN	193,778.35	70,000.00	70,000.00	70,000.00
	387,556.70	422,100.00	85,721.83	422,100.00

EXPENDITURES, BY DEPARTMENT	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection
ADMINISTRATION	104,036.17	-	-	-
STREETS	48,486.42	105,000.00	12,576.90	105,000.00
POLICE	8,859.46	97,500.00	19,458.02	97,500.00
DEVELOPMENT	8,870.13	36,750.00	3,219.02	36,750.00
PARKS & RECREATION	28,109.05	77,500.00	7,663.60	77,500.00
UTILITIES	11,766.34	65,000.00	10,939.48	65,000.00
	210,127.57	381,750.00	53,857.02	381,750.00



COMMONS CID FUND

12/31/22

REVENUES, BY SOURCE	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection
SALES TAXES	345,227.10	373,750.00	72,891.86	373,750.00
USE TAXES	5,211.70	6,500.00	669.58	6,500.00
	350,438.80	380,250.00	73,561.44	380,250.00

EXPENDITURES, BY DEPARTMENT	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection
CONTRACTED SERVICES	554,816.41	335,618.00	33,639.35	335,618.00
	554,816.41	335,618.00	33,639.35	335,618.00



DONATION FUND

12/31/22

REVENUES, BY SOURCE	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection
OTHER REVENUE - POLICE DONATIONS	3,305.00	10,500.00	4,076.00	10,500.00
OTHER REVENUE - PARK DONATIONS	-	-	-	-
	3,305.00	10,500.00	4,076.00	10,500.00

EXPENDITURES, BY DEPARTMENT	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection
CAPITAL OUTLAY	-	-	-	-
	-	-	-	-

**AMERICAN RESCUE PLAN ACT FUND**

12/31/22

REVENUES, BY SOURCE	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection
INTERGOVERNMENTAL REVENUES	1,110,127.76	1,089,161.50	-	-
INTEREST INCOME	10,570.72	-	-	-
	1,120,698.48	1,089,161.50	-	-

EXPENDITURES, BY DEPARTMENT	FY2022 Actual	FY2023 Budget	FY2023 YTD	FY2023 Projection
UTILITIES	-	2,178,300.00	85,437.71	2,178,300.00
	-	2,178,300.00	85,437.71	2,178,300.00



Board of Aldermen Request for Action

MEETING DATE: 1/17/2023

DEPARTMENT: Public Works

AGENDA ITEM: Resolution 1163, Acknowledgement of 2022 TAP Supplemental Grant Application

REQUESTED BOARD ACTION:

A motion to approve Resolution 1163, acknowledging the Board of Aldermen support of a 2022 TAP Supplemental Grant Application for Maple Lane Sidewalks.

SUMMARY:

The City is submitting an application for the 2022 TAP Supplemental grant through the Missouri Department of Transportation which requires a resolution of support by the Governing Body.

The City is applying for federal assistance in the funding for the construction of sidewalks along Maple Lane, construction of a raised crosswalk with pedestrian beacon and installation of a Hawk traffic control device in front of Maple Elementary school. This project was identified in the Transportation Master Plan.

This project will improve safety for students and pedestrians walking to school. The total estimated project budget is \$200,000 including engineering and construction. The City would be reimbursed a grand total of \$160,000 if awarded the grant. This makes a net project cost of \$40,000 to the City.

Please note that the application details will likely change before the January 25, 2022 submittal deadline. Due to the timing of Board meetings, this Resolution must be approved before the application is finalized. The proposed project will be posted on the City website, the City's Facebook Page, Parks and Recreation's Facebook Page, and NextDoor for public comment.

PREVIOUS ACTION:

This project has been identified as a priority in the Transportation Master Plan. Staff is proposing to include this project in the budget for the Transportation Sales Tax fund for fiscal year 2024.

FINANCIAL CONSIDERATIONS:

City must provide a 20% match to the amount awarded. The estimated net City cost is \$40,000. If the grant is not awarded, this project may be delayed until funding is identified in the CIP or other grant opportunities arise.

ATTACHMENTS:

- | | |
|--|-----------------------------------|
| <input type="checkbox"/> Ordinance | <input 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 1163

A RESOLUTION ACKNOWLEDGING BOARD OF ALDERMEN SUPPORT OF AN APPLICATION FOR THE 2022 TAP SUPPLEMENTAL GRANT THROUGH THE MISSOURI DEPARTMENT OF TRANSPORTATION

WHEREAS, the City of Smithville desires to expand its sidewalks system; and

WHEREAS, the City of Smithville is applying for federal assistance from the 2022 TAP Supplemental Grant for the purpose of the Maple Lane Sidewalks.

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

THAT, the Board of Aldermen in the City of Smithville authorizes and supports the submission of a grant application for federal assistance and recognizes the Mayor of Smithville as authority to sign the application and any other necessary documents, such as agreements, contracts, and any other documents required by the State of Missouri or the Federal Highway Administration.

THAT, the City of Smithville currently has the written commitment for the minimum 20% matching share for the project elements that are identified in the application and will allocate the necessary funds to complete the project.

THAT, in the event a grant is awarded, the City of Smithville will commit the necessary financial resources to operate and maintain the completed project in a safe and attractive manner for public access for at least 25 years.

THAT, in the event a grant is awarded, the City of Smithville is prepared to complete the project within the time period identified on the signed project agreement.

THAT, in the event the grant is awarded, the City of Smithville will comply with all rules and regulations of the 2022 TAP Supplemental Grant, applicable Executive Orders and all federal and state laws that govern the grant application during the performance of the project.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri this 17th day of January 2023.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



Board of Aldermen Request for Action

MEETING DATE: 1/17/2023

DEPARTMENT: Police Department

AGENDA ITEM: Resolution 1164, Authorizing Payment to the Kansas City Board of Police Commissioners for Police Academy Training.

REQUESTED BOARD ACTION:

Motion to Approve Resolution 1164, authorizing payment to the Kansas City Board of Police Commissioners for police academy training in the amount of \$10,478.36.

SUMMARY:

In 2018, the Board authorized the sponsorship of police recruits at a Missouri POST approved police academy. On May 5, 2022, two Smithville Police Department Recruits started the Kansas City Regional Police Academy. These recruits graduated on November 18, 2022. The total cost for both recruits, including uniform expenses, is \$10,478.36.

PREVIOUS ACTION:

These are the 6th and 7th recruits that the City has sponsored through an academy. These recruits graduated on November 18 and began their on the job training on November 22. This brings the police department to full strength for the first time since October of 2018.

POLICY ISSUE:

N/A

FINANCIAL CONSIDERATIONS:

Funds were allocated in the FY 23 budget.

ATTACHMENTS:

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

RESOLUTION 1164

**A RESOLUTION AUTHORIZING PAYMENT TO THE KANSAS CITY
BOARD OF POLICE COMMISSIONERS FOR POLICE ACADEMY
TRAINING IN THE AMOUNT OF \$10,478.36**

WHEREAS, in 2018 the Board of Aldermen approved funds to sponsor academy recruits in a Missouri POST approved police academy; and,

WHEREAS, the Smithville Police Department had multiple vacancies; and,

WHEREAS, it is the desire of the City of Smithville to hire and retain officers who possess honor, integrity and compassion; and,

WHEREAS, the Smithville Police Department has hired two recruits to attend police academy training; and,

WHEREAS, the Kansas City Police Academy Training started on May 5, 2022, and is a Missouri POST approved academy.

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

THAT payment to Kansas City Board of Police Commissioners for Police Academy Training is authorized in the amount of \$10,478.36.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 17th day of January, 2023.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

PHONE: (816) 234-5350

Board of Police Commissioners
1125 Locust Street
Kansas City, Missouri 64106
T.I.N. 44-6000197

Name **Smithville Police Department**
Street 107 W Main St
City/State/Zip Smithville, MO 64089

Invoice Date	Invoice #
12/20/2022	11037

Quantity	Description	Unit Price	Amount
100%	Training at the Regional Police Academy Entrant Officer Kole Kennedy 997 Hours Completed	5,000.00	5,000.00
1	Uniform for Entrant Officer Kennedy	239.18	239.18
100%	Training at the Regional Police Academy Entrant Officer Darren Tso	5,000.00	5,000.00
1	Uniform for Entrant Officer Tso	239.18	239.18
		Total Due	\$ 10,478.36
Invoice Inquiry Contact: Donneta McClain 816-234-5347			



Board of Aldermen Request for Action

MEETING DATE: 1/17/2023

DEPARTMENT: Police Department

AGENDA ITEM: Resolution 1165, A Contract Agreement with Crime Stoppers TIPS Hotline

REQUESTED BOARD ACTION:

Motion to Approve Resolution 1165, authorizing the Mayor to sign a Contract Agreement with the Kansas City Metropolitan Crime Commission for the Metro Crime Stoppers Program and the TIPS Hotline Program.

SUMMARY:

Approval of this item will continue the City's support of the Kansas City Metropolitan Crime Commission. The TIPS Hotline enables the Smithville Police Department to use every available resource in obtaining information needed to solve crimes in our community. The TIPS Hotline has taken over service of our anonymous tips in the school district as well. During 2020 the Police Department received eleven anonymous tips through the TIPS Hotline. These TIPS included underage drinking, drug activity, burglary, assault, weapons violation, and homicide.

PREVIOUS ACTION:

The City of Smithville has partnered with Crime Stoppers for more than 20 years.

POLICY ISSUE:

N/A

FINANCIAL CONSIDERATIONS:

Funds were allocated in the FY 23 budget.

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 checked="" type="checkbox"/> Other: Letter | |

RESOLUTION 1165

AN RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CONTRACT WITH THE KANSAS CITY METROPOLITAN CRIME COMMISSION TO PROVIDE SERVICES TO THE CITY THROUGH PARTICIPATION IN THE TIPS HOTLINE PROGRAM

WHEREAS, the City of Smithville Police Department can benefit by using the TIPS Hotline as an investigative and informational resource in solving crimes; and

WHEREAS, the Crime Stoppers TIPS Hotline has an established and proven record in assisting law enforcement agencies in the apprehension of the criminals; and

WHEREAS, the Smithville Board of Alderman wishes to contract with the Kansas City Metropolitan Crime Commission for the purposes of providing the TIPS Hotline service.

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 Kansas City Crime Commission for the purpose of providing the services previously described and further detailed in the attached agreement.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 17th day of January 2023.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



The Kansas City Metropolitan
Crime Commission

OFFICERS

Past Chair
DAVID JOHNSON
Chair
BRAD SPRONG
Chair-Elect
JEFF ANTHONY
Vice Chairs
CHRIS FISHER
JAY REARDON
KARL ZOBRIST
Treasurer
RON JURY

PRESIDENT
RICK ARMSTRONG

BOARD OF DIRECTORS

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BOYD MCGATHEY
ROBERT REINTJES, SR.
KENT SUNDERLAND

3100 Broadway Blvd, Ste 1234
Kansas City, MO 64111

816-960-6800
www.kc-crime.org

January 2, 2023

Chief Jason Lockridge
City of Smithville
107 West Main
Smithville, MO 64089

Dear Chief Jason Lockridge:

Thank you for being a loyal supporter of Crime Stoppers. Without your support Crime Stoppers, would not exist. Your support and partnership are very important to us, and we know **you are one of the reason's the TIPS Hotline is successful.**

- Crime Stoppers has received more than 166,828 TIPS leading to over 11,000 arrests through November 2022.

In cooperation with the Kansas City, Missouri Police Department and the City of Kansas City, Missouri, Crime Stoppers introduced enhanced rewards of "up to \$25,000.00" for KCMO homicides in June of 2019. Since then, 24 KCMO homicides have been solved taking our program total to 673 homicides solved since inception.

- Kansas City's Most Wanted Newspaper publishes 50+ local fugitives, giving area departments and citizens easy access to the wanted fugitives' listings. There have been 592 arrests from the Kansas City's Most Wanted Newspaper since 2006.
- Scholastic Crime Stoppers has seen success in combating school-based issues including, nineteen (19) suicide interventions and the program is in over 70 schools in the metropolitan area.
- Visit the newly redesigned Crime Stoppers website "www.kccrimestoppers.com" to view Unsolved Crimes, Wanted Suspects, Upcoming Events and more.

Like you, Crime Stoppers is passionate about fighting crime and making our communities safer. Thank you for being a Crime Fighter. Together we get hundreds of dangerous fugitives off our streets and out of our neighborhoods.

Sincerely,

Rick Armstrong
President

Crime Stoppers is a division of the Kansas City Metropolitan Crime Commission

CONTRACT

This Contract is entered into this year, 2023, by and between the City of Smithville and the Kansas City Metropolitan Crime Commission a Missouri not-for-profit corporation located at 3100 Broadway, Suite #1234, Kansas City, Missouri 64111.

WHEREAS, the Crime Commission has run and continues to run a Crime Stoppers program promoting the 816-474-TIPS Hotline Program in the Greater Kansas City area, which includes Johnson and Wyandotte Counties in Kansas and Cass, Clay, Jackson, Lafayette, Platte and Ray Counties in Missouri.

WHEREAS, the City of Smithville wishes to contract with the Crime Commission to provide this service in Smithville, MO.

NOW, THEREFORE, the parties agree as follows:

1. The City of Smithville will pay the Crime Commission an annual fee of \$275.00 dollars, payable on the date hereof and on each anniversary date of the date hereof during the term of this contract. Such annual fee may be adjusted each year as the parties hereto may agree.

2. The Crime Commission will provide its Crime Stoppers Program in Smithville which the program shall include, at a minimum, the following services:

- a) Maintain the Crime Stoppers Hotline, (currently 816-474-TIPS) which will be answered twenty-four hours per day;
- b) Provide publicity concerning the availability of the Crime Stoppers TIPS Hotline;
- c) Provide rewards for information leading to the arrest, issuance of a warrant or indictment, which results from calls to the Crime Stoppers TIPS Hotline;
- d) Forward information received on the Crime Stoppers TIPS Hotline regarding crimes in Smithville, MO.

3. The parties agree, that the services to be provided by the Crime Commission are being provided strictly on a contract basis and that the Crime Commission is not and shall not be considered a part of Smithville, MO or the City of Smithville. The Crime Commission shall not be subject to any control by Smithville, MO or the City of Smithville.

4. This contract shall be for an initial term of one year, commencing on the date hereof. Upon expiration of the initial term of this Contract, and upon expiration of each additional one year period thereafter, the term of this Contract shall be extended automatically for a period of one year, unless and until either party hereto gives written notice to the other party hereto of its intent not to extend the term of this Contract for an additional one year period.

5. This Contract shall not be assignable without the prior written consent of both parties. Any purported assignment without such written consent shall be void.

IN WITNESS WHEREOF, the parties have executed this Contract the year and date first above written.

Smithville, MO

By _____

ATTEST: _____

KANSAS CITY METROPOLITAN CRIME COMMISSION

By 
Rick Armstrong

ATTEST: _____



Board of Aldermen Request for Action

MEETING DATE: 1/17/2023

DEPARTMENT: Public Works

AGENDA ITEM: Resolution 1166, authorizing the expenditure of funds from the Combined Water and Wastewater System Fund for the purchase of utility meters from Kansas City Winnelson Co in the amount of \$19,375.72

REQUESTED BOARD ACTION:

A motion to approve Resolution 1166, authorizing the expenditure of \$19,375.72 for the purchase of utility meters.

SUMMARY:

As the board is aware, the City was experiencing delays in receiving the parts needed to set up new water services, causing builders to wait for several weeks. In order to prevent this issue from occurring again in the future, the city ordered 107 set ups in July based on lots that were available at that time. The meters for these set ups are now available and have been delivered to the City.

PREVIOUS ACTION:

POLICY ISSUE:

Water Meter and Tapping Service

FINANCIAL CONSIDERATIONS:

The 2023 CWWS fund has sufficient budget for this expense.

ATTACHMENTS:

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

RESOLUTION 1166

A RESOLUTION ACKNOWLEDGING AND APPROVING THE EXPENDITURE OF FUNDS FROM THE COMBINED WATER AND WASTEWATER FUND FOR THE PURCHASE OF WATER METERS

WHEREAS, The City has been experiencing delays in receiving parts needed to set up new water services causing builders to wait for several weeks; and

WHEREAS, in an effort to avoid delays, the city has been proactive in anticipating potential needs and has placed an order for 107 set ups based on available lots for July 2022; and

WHEREAS, the City received the water meters and set ups in December.

WHEREAS, the total cost of the water meters and set ups was \$19,375.72.

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

THAT the Board acknowledges and approves the expenditure of funds from the Combined Water and Wastewater Fund for the purchase of water meter and setters in the amount of \$19,375.72 from Kansas City Winnelson Company.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 17th day of January, 2023.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

Remit To:

KANSAS CITY WINNELSON CO.
PO BOX 3359
KANSAS CITY, KS 66103-3359

Original Invoice

0050/5131

Page	Date Printed	Invoice No.
1	12/01/22	007125 03

To Reorder Contact Us At
Phone No. : (913) 262-6868
Fax No .. : (913) 262-6843 DB# 01

Sold To:

CITY OF SMITHVILLE
1 HELVY PARK DR
SMITHVILLE, MO 64089-8376

Ship To:

CITY OF SMITHVILLE
16401 LOWMAN ROAD
SMITHVILLE, MO 64089

Customer Number 00240-002862	Customer Purchase Order BRIAN	Job Name STK-
Placed By BRIAN	Salesman 070-JOHN CROSS	Type Shipment Stock
	Ship VIA	Date Shipped 12/01/22

***** THANK YOU FOR YOUR BUSINESS *****

Units Ordered	U/M	Item Description	Units Shipped	B/C	Price	Per	Discount	Extended	Tax
7	EA	VEKB213N 1"452 METER W/ME-8 GAL REG W/NICOR CONN	7		288.7600		.00	2,021.32	N

****KANSAS CITY WINNELSON COMPANY--LOCALLY OWNED AND OPERATED**THANK YOU
OUR REMIT ADDRESS HAS CHANGED. EFFECTIVE IMMEDIATELY PLEASE REMIT ALL PAYMENTS TO: PO BOX 3359 Kansas City, KS 66103**

Terms: Monthly Finance Charge May Be Applied To Past Due Accounts.
NET 30 DAYS

Pay full balance by 12/31/22

Tax Area ID:	Net Sales	2,021.32
MO - 260473351	Freight	.00
State Tax % .000	State Tax	.00
Local Tax % .000	Local Tax	.00
	Invoice Amount	2,021.32

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. For inquiries please call (913) 262-6868.
T&C: You agree that the sale of these products/services is subject to all of our standard terms and conditions of sale located at www.winsupplyinc.com/tcsale.

Remit To:

KANSAS CITY WINNELSON CO.
PO BOX 3359
KANSAS CITY, KS 66103-3359

Original Invoice *050/5131*

Page	Date Printed	Invoice No.
1	12/01/22	008454 01

To Reorder Contact Us At
Phone No. : (913) 262-6868
Fax No .. : (913) 262-6843 DB# 01

913-927-2806

Sold To:

CITY OF SMITHVILLE
1 HELVY PARK DR
SMITHVILLE, MO 64089-8376

Ship To:

CITY OF SMITHVILLE
16401 LOWMAN ROAD
SMITHVILLE, MO 64089

Customer Number 00240-002862	Customer Purchase Order DAVID	Job Name SETTERS/CORPS/AMR METERS
Placed By DAVID	Salesman 070-JOHN CROSS	Type Shipment Stock
	Ship VIA	Date Shipped 12/01/22

***** THANK YOU FOR YOUR BUSINESS *****

Units Ordered	U/M	Item Description	Units Shipped	B/C	Price	Per	Discount	Extended	Tax
112	EA	VEGB213N 5/8X3/4 420B IB ME8 SG W/5'NICOR CONN METER	112		154.9500		.00	17,354.40	N
107	EA	760-218QN22 33X15 METER SETTER	0	B	220.9900		.00	.00	N
107	EA	74701-22 3/4 AWXCTS PLUG CORP	0	B	49.7500		.00	.00	N

****KANSAS CITY WINNELSON COMPANY--LOCALLY OWNED AND OPERATED**THANK YOU**

******OUR REMIT ADDRESS HAS CHANGED. EFFECTIVE IMMEDIATELY PLEASE REMIT ALL PAYMENTS TO: PO BOX 3359 Kansas City, KS 66103******

Terms: Monthly Finance Charge May Be Applied To Past Due Accounts.
NET 30 DAYS

Pay full balance by 12/31/22

Tax Area ID: MO - 260473351	Net Sales	17,354.40
	Freight	.00
State Tax % .000	State Tax	.00
Local Tax % .000	Local Tax	.00
	Invoice Amount	17,354.40

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. For inquiries please call (913) 262-6868.

T&C: You agree that the sale of these products/services is subject to all of our standard terms and conditions of sale located at www.winsupplyinc.com/tcsale.

MEETING DATE: 1/17/2023

DEPARTMENT: Public Works

AGENDA ITEM: Resolution 1167, authorizing the expenditure of funds from the Combined Water and Wastewater System Fund for repairs to SBR#1 at the Wastewater Treatment Plant

REQUESTED BOARD ACTION:

A motion to approve Resolution 1167, authorizing the expenditure of \$33,526.35 to Mid-America Pump for repairs to SBR#1.

SUMMARY:

The City uses a treatment process referred to as Sequencing Batch Reactor to treat the community's wastewater. This process separates solids in a pre-treatment basin, from there the wastewater is fed into the SBR tank where air is injected and microorganisms then clean the water and the activated sludge then settles to the bottom of the tank and the clarified water can be removed through decanting equipment. At the Board meeting on December 6, 2022, it was reported that the decanter arm was broke and repairs would be necessary.



The City had previously hired Mid-America Pump to complete similar work on SBR#3.

The cost of repair is \$33,526.35.

PREVIOUS ACTION:

POLICY ISSUE:

Facility / infrastructure maintenance

FINANCIAL CONSIDERATIONS:

The 2023 CWWS fund has sufficient budget for this expense.

ATTACHMENTS:

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

RESOLUTION 1167

**A RESOLUTION ACKNOWLEDGING AND APPROVING THE
EXPENDITURE OF FUNDS FROM THE COMBINED WATER AND
WASTEWATER FUND FOR AT THE WASTEWATER TREATMENT PLANT**

WHEREAS, at the meeting on December 6, 2022 it was reported to the Board that decanter arm from SBR #1 needed to be repaired; and

WHEREAS, the City engaged Mid-America Pumps to make the repairs; and

WHEREAS, the final cost for repairs, labor and material is \$33,526.35.

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

THAT the Board acknowledges and approves the expenditure of funds from the Combined Water and Wastewater Fund for the repairs to the decanter arm in SBR#1 in an amount of \$33,526.35.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 17th day of January, 2023.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



Board of Aldermen Request for Action

MEETING DATE: 1/17/2023

DEPARTMENT: Finance

AGENDA ITEM: Resolution 1168, A Resolution Approving A Water Leak Adjustment Request

REQUESTED BOARD ACTION:

Motion to approve Resolution 1168, approving a water and wastewater leak adjustment request.

SUMMARY: The City has received notice from Cindy Hadley, a residential utility billing customer, of a repaired water leak and the request for a water and wastewater leak adjustment. All requirements set forth in Ordinance 2989-18 have been met.

On or around November 25, 2022, the Utilities Department obtained electronic reads of water usage for the month of November 2022. Those reads were uploaded to the billing system later and same day which provides warnings for customers with no, little, or high usage.

Following the month of the October 2022 billing cycle, Cindy Hadley had started the November 2022 billing cycle with a read of 3,706 and finished the November 2022 billing cycle with a read of 4,317, which resulted in consumption of 61,100 gallons of water. This amount was more than twice the established monthly average.

On or around December 28, 2022, the Utilities Department obtained electronic reads of water usage for the month of December 2022. Those reads were uploaded to the billing system later and same day which provides warnings for customers with no, little, or high usage.

Following the month of the November 2022 billing cycle, Cindy Hadley had started the December 2022 billing cycle with a read of 4,317 and finished the December 2022 billing cycle with a read of 4,619, which resulted in consumption of 30,200 gallons. This amount was more than twice the established monthly average. As required by Ordinance 2989-18, Cindy Hadley has provided proof of a leak and proof of repair/maintenance of the leak which caused the high usage during the November 2022 billing cycle and December 2022 billing cycle.

If approved, the leak adjustment would issue a credit of \$454.82 to Cindy Hadley's utility account.

PREVIOUS ACTION:

The Board has approved previous leak adjustments in this fiscal year when conditions have been met.

POLICY OBJECTIVE:

Provide utility billing financial relief via a utility leak billing adjustment

FINANCIAL CONSIDERATIONS:

Reduce utility revenues by \$454.82

ATTACHMENTS:

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

RESOLUTION 1168

**A RESOLUTION APPROVING A WATER AND WASTEWATER
LEAK ADJUSTMENT REQUEST**

WHEREAS, the City approved Ordinance No. 2989-18 amending Section 705.110 of the Code of Ordinances on February 6, 2018; and,

WHEREAS, Cindy Hadley, a residential utility billing customer with account 02-000080-00, has notified the City of a water leak and is requesting a leak adjustment; and,

WHEREAS, the conditions set forth in Section 705.110 of the Code of Ordinances as amended have been met; and,

WHEREAS, the adjustment calculation set forth in 705.110 of the Code of Ordinances as amended has been determined to be \$454.82.

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

A water and wastewater leak adjustment in the amount of \$454.82 shall be credited to account 02-000080-00 of residential utility billing customer Cindy Hadley.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 17th day of January 2023.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



Water and Wastewater Leak Adjustment Request

Utility Customer Name: Cindy Hadley

Utility Service Address: 520 Second Creek Road

Utility Account Number: 02-000080-00

The residential utility billing customer referenced above has notified City staff of a water leak and is requesting a leak adjustment. City staff has verified the water consumption of the month(s) in question is more than two (2) times the monthly average for this property, no other leak adjustment has occurred in the previous thirty-six (36) month period, covers a single event and repair receipts have been provided.

In accordance with the Leak Adjustment Ordinance No. 705.110, the Board of Alderman may consider a leak adjustment calculated to be **\$454.82** at the Board of Alderman meeting on January 17, 2023.

I, Cindy Hadley, agree to attend the Board of Alderman meeting referenced above, and understand that my failure to be present is cause for the Board of Alderman to deny my request.

Upon resolution by the Board of Alderman, I, Cindy Hadley, shall make payment in full or make formal payment arrangements with City staff no later than ten days (10) following the Board of Alderman consideration. I understand that failure to do so will result in imposition of late fees and/or disconnection of service.

Cindy
Hadley _____ 1/4/2023 _____

Customer's Signature

Date



Water and Wastewater Leak Adjustment Calculation

Utility Customer Name: **Cindy Hadley**
 Utility Service Address: **02-000080-00**
 Utility Account Number: **520 Second Creek Road**

Breaking down key figures in Ordinance 2989-18(C), Adjustment Calculations

- The adjusted bill(s) shall charge the City's normal water rate on all water volume used up to two (2) times the average monthly water use for this property.

City's normal water rate (per 1,000 gallons): \$9.04
 Average monthly water usage for this property: 4,933 gallons

- Adjusted bill(s) shall also charge the City's wholesale water rate on all water volume used greater than two (2) times the average monthly water use for this property.

City's wholesale water rate (per 1,000 gallons): \$5.40

- If the leak is inside the home, the wastewater bill(s) shall not be adjusted because the water volume used will have drained into the sanitary system of the home.
 If the leak is outside the home, the wastewater bill(s) will be adjusted to reflect the average monthly wastewater usage for this property.

City's normal wastewater rate (per 1,000 gallons): \$7.69
 Average monthly wastewater usage for this property: 4,933 gallons
 Was the leak inside or outside the home: outside
 Was the wastewater billed winter average or actual usage: winter average

Calculating the adjustment amount using Ordinance 705.110(C), Adjustment Calculations

"November 2022"	
Original Water Bill Amount	
61,100 gallons @ 9.04 per 1,000 gallons =	552.34
Adjusted Water Bill Amount	
9,866 gallons @ 9.04 per 1,000 gallons =	89.19
+ 51,234 gallons @ 5.4 per 1,000 gallons =	276.66
	365.85
Water Discount =	186.49
Original Wastewater Bill Amount	
4,933 gallons @ 7.69 per 1,000 gallons =	37.93
Adjusted Wastewater Bill Amount	
4,933 gallons @ 7.69 per 1,000 gallons =	37.93
Wastewater Discount =	0.00

Original Water Bill Amount	
gallons @ 9.04 per 1,000 gallons =	0.00
Adjusted Water Bill Amount	
0 gallons @ 9.04 per 1,000 gallons =	0.00
+ 0 gallons @ 5.4 per 1,000 gallons =	0.00
	0.00
Water Discount =	0.00
Original Wastewater Bill Amount	
0 gallons @ 7.69 per 1,000 gallons =	0.00
Adjusted Wastewater Bill Amount	
0 gallons @ 7.69 per 1,000 gallons =	0.00
Wastewater Discount =	0.00

Total Discount = 186.49



Water and Wastewater Leak Adjustment Calculation

Utility Customer Name: **Cindy Hadley**
 Utility Service Address: **02-000080-00**
 Utility Account Number: **520 Second Creek Road**

Breaking down key figures in Ordinance 2989-18(C), Adjustment Calculations

- The adjusted bill(s) shall charge the City's normal water rate on all water volume used up to two (2) times the average monthly water use for this property.

City's normal water rate (per 1,000 gallons): \$9.04
 Average monthly water usage for this property: 4,933 gallons

- Adjusted bill(s) shall also charge the City's wholesale water rate on all water volume used greater than two (2) times the average monthly water use for this property.

City's wholesale water rate (per 1,000 gallons): \$5.40

- If the leak is inside the home, the wastewater bill(s) shall not be adjusted because the water volume used will have drained into the sanitary system of the home.
 If the leak is outside the home, the wastewater bill(s) will be adjusted to reflect the average monthly wastewater usage for this property.

City's normal wastewater rate (per 1,000 gallons): \$7.69
 Average monthly wastewater usage for this property: 4,933 gallons
 Was the leak inside or outside the home: outside
 Was the wastewater billed winter average or actual usage: actual usage

Calculating the adjustment amount using Ordinance 705.110(C), Adjustment Calculations

"December 2022"	
Original Water Bill Amount	
30,200 gallons @ 9.04 per 1,000 gallons =	273.01
Adjusted Water Bill Amount	
9,866 gallons @ 9.04 per 1,000 gallons =	89.19
+ 20,334 gallons @ 5.4 per 1,000 gallons =	109.80
	198.99
Water Discount =	74.02
Original Wastewater Bill Amount	
30,200 gallons @ 7.69 per 1,000 gallons =	232.24
Adjusted Wastewater Bill Amount	
4,933 gallons @ 7.69 per 1,000 gallons =	37.93
Wastewater Discount =	194.31

Original Water Bill Amount	
gallons @ 9.04 per 1,000 gallons =	0.00
Adjusted Water Bill Amount	
0 gallons @ 9.04 per 1,000 gallons =	0.00
+ 0 gallons @ 5.4 per 1,000 gallons =	0.00
	0.00
Water Discount =	0.00
Original Wastewater Bill Amount	
0 gallons @ 7.69 per 1,000 gallons =	0.00
Adjusted Wastewater Bill Amount	
0 gallons @ 7.69 per 1,000 gallons =	0.00
Wastewater Discount =	0.00

Total Discount = 268.33

Invoice

Scott's Custom Plumbing LLC
30391 HWY UU
Warsaw, MO 65355
816-560-8680

To: Robert Hadley

Job Address: 520 Second Creek Road

Email: Chadley40@yahoo.com

Date: December 29, 2022

Details:

Replace main water line to house

Total Labor and Material Due: \$ 2,500.00

PAID IN FULL

Rod Hadley
Second Creek Rd
Smithville, Mo 64089

Dig up Water Service that find leak, Leak under house Had to dig trench around house to front Door

8Hrs Mini Excavator and Labor \$120 Per Hour

8X120-----\$960.00

Total-----\$960.00

Make Check Payable to Bradley Lincoln

Thank You

Brad Lincoln



Rd # 1039
12/23



Board of Aldermen Request for Action

MEETING DATE: 1/17/2023

DEPARTMENT: Public Works

AGENDA ITEM: Resolution 1169, authorizing payment for Utility Easement

REQUESTED BOARD ACTION:

A motion to approve Resolution 1169, authorizing payment \$9,240 for a utility easement.

SUMMARY:

The City is developing plans for the 144th Street Lift Station and the West Bypass Force Main. The force main will extend from the lift station on 144th to Cliff Drive. Staff has reviewed property values from the Clay County Appraiser and used those valuations to calculate the value of the easements which are being sought for the force main construction.

The City reviewed the Clay County Appraisers valuation of the property and calculated the value of the easements being requested from that information. Based on this the City has offered the Foreman's \$9,240.

The value exceeds the City Administrators authority so Board approval is required.

PREVIOUS ACTION:

POLICY ISSUE:

Growth and Infrastructure

FINANCIAL CONSIDERATIONS:

The project is part of the CIP in the CWWF Fund.

ATTACHMENTS:

- | | |
|--|-----------------------------------|
| <input type="checkbox"/> Ordinance | <input 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: Invoice | |

RESOLUTION 1169

A RESOLUTION AUTHORIZING PAYMENT FOR UTILITY EASEMENTS

WHEREAS, the City is developing plans to construct the west bypass force main; and

WHEREAS, a permanent and temporary construction easement is required on Lot 10 of First Park Second Plat; and

WHEREAS, the City has estimated the value of the easements to be \$9240; and

WHEREAS, the owners, William and Tiffany Foreman, have accepted the City's offer.

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

That payment to William and Tiffany Foreman for Utility Easements in an amount of \$9,240 is approved.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 17th day of January, 2023.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



City Administrator's Report

January 12, 2023

Department of Natural Resources Violation Notification

In October 2022, one of the five continuous flow turbidity meters at the water treatment plant stopped working. Turbidity is a measurement of the clarity of our drinking water. Staff started taking grab samples every 2 hours to ensure our water quality met drinking water standards. However, due to supply chain issues and parts availability from the manufacturer, we were not able to bring the continuous flow monitoring back up within 5 days and therefore did not meet the requirement of continuous flow monitoring and will need to notify our residents of this occurrence.

The requirements according to the Missouri Safe Drinking Water Law and Regulations, 10 CSR 60-4.050 (3) (B) Maximum Turbidity Levels:

1. Turbidity must be equal to or less than 0.3 turbidity units in at least ninety-five percent (95%) of the measurements taken each month
2. Readings will be recorded / reported at 4-hour increments

Turbidity is measured in NTU: Nephelometric Turbidity Units. The instrument used for measuring turbidity is called nephelometer or turbidimeter, which measures the intensity of light scattered at 90 degrees as a beam of light passes through a water sample.

Upon receipt of the parts, the turbidity meter was placed back in service. During the time the unit was not working, the staff took grab samples and measured the turbidity every 2 hours. The combined filter effluent results were well below the standard, averaging 0.067 NTU.

At no time was the drinking water not monitored nor unsafe for consumption.

DNR regulations require the City to notify all residents of this incident and we are mailing notices to all utility customers and have created a website to provide additional information, including our turbidity results.

The City is committed to providing safe drinking water for consumption, meeting or exceeding all State and Federal Safe Drinking Water Standards.

Smithville 110 – TIF Application

This week, the developer of Smithville 110 (the old Spelman Hospital property) formally submitted a TIF plan. Staff is working with economic development counsel to coordinate the statutorily required processes and notifications for review.

Animal Care and Housing RFQ

No responses were received in response to the RFQ issued late last year. Staff continues to review and put together information relating to animal control services for budget discussion. We are leaving discussion of Chapter 235 enforcement on the February 21 work session agenda so that we can ensure we have direction from the board as we move through the budget process.

Snow Event Evaluation

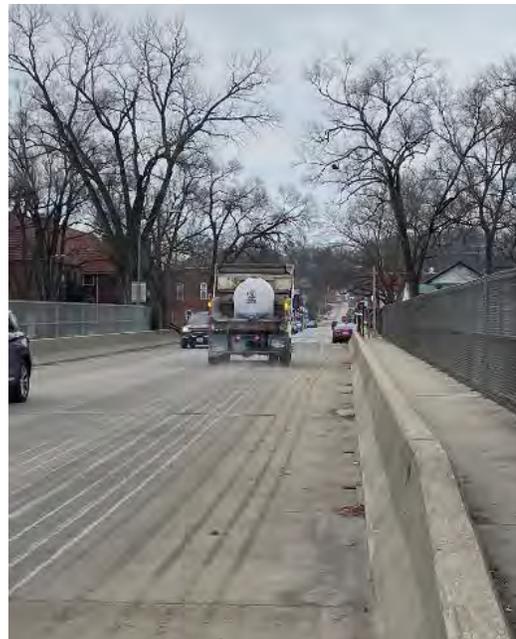
Smithville experienced its first snow events of the winter season on Thursday, December 22, 2022. The city had a team of six staff members present to provide the winter response.

This year, the City implemented a new protocol recommended by the American Public Works Association (APWA) to pre-treat main streets with brine. Brine is a solution of salt and water that is applied to the road before a winter storm that helps prevent snow from sticking to the roads. For this snow event, staff applied a total of 1,100 gallons of brine (550 on December 20, and 550 on December 21).

On Thursday December 22, crews started working at 4 a.m. and worked for 12 hours. The city is contracting with R&S Lawn Service for residential snow removal in pre-identified neighborhoods. The contractor had four trucks and four staff members for their response.

The City and the contractor used a total of 40 tons of salt and sand. The staff and contractors did a good job overall responding to the snow event. One of the spreaders had an issue with the wiring chain running backwards. Staff put new ends on, and it worked fine afterwards.

Staff continues to monitor weather predictions and conditions and is prepared for response to winter events.



Winner Avenue – Waterline Replacement

The contractors, Blue Moon, have successfully laid all of the new water lines, tested and flushed the lines. Crews are currently working to complete tie-ins to the new main and will begin connecting residential meters to the new main. Completion of the project is currently estimated by the end of January.





Board of Aldermen Request for Action

MEETING DATE: 1/17/2023

DEPARTMENT: Development

AGENDA ITEM: Bill No. 2969-22, Amending Fence Regulations - 2nd Reading

REQUESTED BOARD ACTION:

A motion to read Bill No. 2969-22 for Second Reading by Title Only to amend provisions of the zoning code pertaining to Fences.

SUMMARY:

The ordinance would change the zoning to clarify the fence regulations, and in particular front yard fences and what constitutes a "decorative or ornamental" fence.

BACKGROUND:

The zoning code was amended in 2003 to incorporate new fence regulations as a result of a new building code that required fence permits prior to construction. One of the items added was clarifications about front yard fences and the desire to keep the front yards of homes open to avoid neighbors building a fence that could disrupt the view of adjacent neighbors from their driveways. Over several years, those provisions were tweaked and changed which caused several problems with the ordinance. Additionally, two neighbors had constructed fences without permits that did not meet the fence code requirements for "decorative or ornamental", which brought those citizens to the Board to seek a fix. Both of those fences were chain link fences, but were vinyl coated. After several meetings and discussions, and following a public hearing, the Planning Commission ultimately recommended several changes to the code. Staff the redrafted an entire new fence code provision that addressed all issues, including height, location, barbed wire and what types of fences were appropriate for various zoning districts. The Commission reviewed the request to amend electric fence provisions, but because those provisions were more directed towards public safety and not traditional zoning issues, left that issue for the Board to discuss at a later meeting.

PREVIOUS ACTION:

The regulations concerning fences have been created, modified, and amended numerous times over the previous 50 years, including the new B-4 provisions from 2019.

POLICY ISSUE:

Improves the understanding of fence regulations and provides additional cost-effective options for decorative or ornamental fences.

FINANCIAL CONSIDERATIONS:

None

ATTACHMENTS:

- Ordinance
- Resolution
- Staff Report
- Other: Planning and Zoning meeting is available for viewing online
- Contract
- Plans
- Minutes

AN ORDINANCE AMENDING SECTIONS OF CHAPTER 400, THE ZONING CODE RELATED TO FENCES.

WHEREAS, the Planning Commission advertised and held a public hearing on November 8, 2022, related to potential changes to various fence regulations; and

WHEREAS, following the public hearing, the Planning and Zoning Commission recommended changes to a draft of a proposed ordinance and continued the matter to review the final draft at the December 13, 2022 meeting.

WHEREAS, the Planning Commission met on December 13, 2022 to review the final draft and recommended approval of revisions to the fence regulations.

WHEREAS, the Smithville Board of Aldermen deems it to be in the best interest of the City of Smithville to adopt said amendments to provide for various fence regulation amendments that is both beneficial to both businesses and the public.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI AS FOLLOWS:

SECTION 1. Chapter 400 of the Code of Ordinance is amended by deleting Section 400.350 related to fences and replacing the entire section with a new provision to be numbered and read as follows:

Section 400.350. Fences

A. Except as otherwise specifically provided in other codes and regulations, the following regulations shall apply to the construction of fences:

1. As used in this Chapter, the following terms shall have the meanings indicated:

a. Fence, decorative or ornamental

A fence constructed of wood, metal, vinyl, vinyl coated chain link or a combination of such materials that is not more than four (4) feet in height and is at least fifty percent (50%) open OR is a stone or brick wall that does not exceed three (3) feet in height. Non-coated chain-link, or wire, wire mesh, snow fences or fences constructed in any part with such materials shall not be considered decorative or ornamental.

b. Front Yard Fence

A decorative or ornamental fence located in a front yard that contains or abuts an adjacent lot that contains, the primary entrance to the building or a driveway access to the lot, or both.

2. All fences erected in the City of Smithville must have a permit, except those in the agricultural districts. Applications for a fence permit shall be accompanied by a general layout of the property indicating the location of the fence to be erected on the lot.
3. All fences shall conform to the requirements of the sight triangle as defined by these regulations. For purposes of these fence regulations, an alley shall also be subject to the sight triangle regulations at an intersection with a public street.
4. No fence shall be constructed which will constitute a traffic hazard nor shall be constructed within one (1) foot of any street right of way.
5. No fence shall be constructed in such a manner or be of such design as to be hazardous or dangerous. This would include barbed wire, electrically charged or otherwise detrimental to persons, except as stated herein. Barbed wire fences may be constructed in the agricultural districts; and barbed wire may be used in the industrial districts and the B-3 district, but only as a component of security or anti-climb fences with such component not less than eight (8) feet above the outside adjacent grade. The use of barbed wire arms is limited to those not larger than 18", and upon attachment of the arm, the extended portion of the arm and wire shall not extend beyond any property lines.
6. No fence, except fences erected upon public or parochial school grounds or in public parks and in public playgrounds, shall be constructed of a height greater than eight (8) feet in the industrial districts, not including barbed wire arm attachments on security fences, which may extend an additional two feet. In the business and residential districts, fences shall not exceed six (6) feet in height, except for hedges and shrubs, which do not have a height restriction, except as noted otherwise in this Chapter. In the B-3 district, any security or anti-climb fence that includes barbed wire tops may be constructed up to eight (8) feet tall and the barbed wire security component may extend an additional two (2) feet above the standard height.
7. All fences shall be constructed to face the neighboring property with its structural elements on the building side of the fence. A shadow-box style fence shall be considered compliant with this provision.
8. On lots with more than one Front Yard (e.g., Corner lots or double frontage lots) as defined in this Chapter shall construct a front yard fence as defined herein where required and rear and side and rear yards may have other fences that meet the standards of this section.
9. These fence regulations are independent of any rules or regulations imposed by homeowners' associations or other agencies not affiliated with the City of Smithville.
10. Any provision of §400.575.C. to the contrary notwithstanding, the repair or replacement of fifteen percent (15%) or more of any portion of an existing fence shall trigger the requirement that the entire fence be brought into compliance with this section.

SECTION 2. This ordinance shall be in full force from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times, by title only, **PASSED AND APPROVED** by a majority of the Smithville Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri this 17th day of January, 2023.

Damien Boley, Mayor

ATTEST

Linda Drummond, City Clerk

First Reading: 12/20/2022

Second Reading 01/17/2023

EXHIBIT A

STATEMENT OF PLANNING COMMISSION ON OUTDOOR STORAGE CODE AMENDMENTS

In accordance with 400.560.B, the Planning Commission recommends approval of the foregoing ordinance changes and makes the following statements:

1. These changes are consistent with the intent and purpose of these regulations.
2. The areas of the city which are most likely to be directly affected by these changes are those zoned commercially, and these properties will be affected by the new provisions for outdoor storage behind storage screening where it is currently completely prohibited.
3. This amendment is made necessary as a result of significant investment in commercial construction and the commercial development of the city, as well as the evolving nature of the districts.

Planning and Zoning Commission Chair



Board of Aldermen Request for Action

MEETING DATE: 1/17/2023

DEPARTMENT: Development

AGENDA ITEM: Bill No. 2970-22, Rezoning 18601 N. 169 Highway - 2nd Reading

REQUESTED BOARD ACTION:

A motion to approve Bill No. 2970-22 for Second Reading by Title Only to rezone 18601 N 169 Highway from R-1B to R-3 and approve a Conceptual Plan.

SUMMARY:

The ordinance would change the zoning to a portion of the current Catholic Church property to R-3P, which includes a conceptual plan restricting several otherwise allowable uses in the R-3 district, and focuses upon allowing a new education and dormitory facility to support the Herzog Foundation mission.

BACKGROUND:

The property is currently zoned R-1B, and contains the current Good Shepherd Catholic Church facility. It is adjacent to the Herzog Foundation property that was acquired from the church a few years ago. The Foundation came to the Planning and Zoning Commission in October seeking to rezone this land to B-3 in order to construct a Lodge facility. The B-3 district was required as the Lodge was to act as a hotel primarily for the Foundation, but would allow it to be used as a hotel. At that hearing, a significant amount of public input was provided to the Commission and ultimately, the Commission found that the proposed hotel use was not in compliance with the Comprehensive plan. Following that meeting, the Herzog Foundation reevaluated its submission to incorporate the public and Commissioner's concerns. The new application was to amend the request to rezone to R-3, which allows both education and dormitory uses. To address these concerns, the Foundation also added several restrictions upon the uses that are otherwise available in R-3 districts. Those restrictions effectively leave the dormitory use, along with educational uses and eliminates the more impactful uses. It also restricts future Conditional Use requests to the religious, educational, and social facilities associated with those uses. The plan also increases the setback requirements and reduces building height from 5 stories to 2. The rezoning application was simultaneously submitted with a subdivision request to create a new single lot of the rezoned property. That provision is contingent upon the zoning and conceptual plan approval and will be brought forward in January following a second reading of this zoning ordinance. If approved at a second reading, that subdivision will come forward as well. A public hearing was conducted, and the most significant concerns were of the condition of Main Street, as well as stormwater protection. Following that hearing, the commission discussed the application and sought clarification on the Main Street and stormwater issues from staff. Staff described the recent amendments to the Site Plan Review ordinance and its' incorporation of the subdivision ordinance provisions for on

and offsite public improvements, the requirement of an updated traffic impact analysis and stormwater design that will be required when any building is proposed through the site plan review process. This is also the time when road and stormwater improvements would occur. Following these assurances, the Commission voted to recommend approval of the rezoning and conceptual plan and have provided its' finding of fact for your review.

PREVIOUS ACTION:

The R-1B zoned lot was originally intended for Phase II of Rock Creek subdivision but was sold to the Catholic Church in 2009. The Herzog Foundation and Cabins were presented to the Board in the last two years.

POLICY ISSUE:

Complies with the Comprehensive Plan uses for the area.

FINANCIAL CONSIDERATIONS:

None

ATTACHMENTS:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution | <input checked="" type="checkbox"/> Plans |
| <input checked="" type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: Findings of Fact and Planning and Zoning meeting is available for viewing online | |

FINDING OF FACTS AND CONCLUSIONS OF LAW

Applicant: Focal Design Studio, Agent for Diocese of KC-St. Joseph and Herzog Foundation

Land Use Proposed: R-3 with a conceptual plan overlay

Zoning: R-1B

Property Location: 18601 N. 169 Hwy

Pursuant to the provisions of Section 400.560(C) of the Smithville Code, the Planning Commission does hereby make the following findings of fact based upon the testimony and evidence presented in a public hearing of the Planning and Zoning Commission of the City of Smithville, held on December 13, 2022, and presents these findings to the Board of Aldermen, with its' recommendations on the application.

Finding of Facts

1. *Character of the neighborhood.*
The surrounding area is a mix of R-1 single family housing to the south of the Catholic Church, as well as many acres of undeveloped land to the south and east. The lot north is B-2 and houses the Foundation offices and the four cabin buildings.
2. *Consistency with the City's Comprehensive Plan and ordinances.*
A. The existing Comprehensive Plan was approved on November 10, 2020 and calls for this area to remain Civic or Institutional. Civic and Institutional uses include, but are not limited to, educational facilities and campuses, libraries, places of worship, and other community-oriented areas. The conceptual plan proposes an educational facility and dormitory building for the support of the Herzog Foundation to the north meets this definition in that it can be considered part of the larger campus.
3. *Adequacy of public utilities and other needed public services.*
The application is to allow an 8-acre portion of the land to be used for constructing an educational and dormitory facility. All utilities and services are available currently but must be extended to this facility at the applicant's sole cost and expense.
4. *Suitability of the uses to which the property has been restricted under its existing zoning.*

The current use is as a church facility to the west, but the subject portion of the land is undeveloped.

5. *Length of time the property has remained vacant as zoned.*
The property was zoned to the existing district classification of R-1B in 2004 for the Rock Creek Subdivision. In 2009, after the housing bubble burst no construction occurred in the brand-new residential development, the future development area of the subdivision was acquired by the Catholic Church and the church was constructed.
6. *Compatibility of the proposed district classification with nearby properties.*
The adjacent land (except the church and applicants' other facilities to the north) is either residential, or vacant, undeveloped land, with a future land use designation of either agricultural or residential. The intended district will expand the impact of the uses from the original impacted area of 188th St. and 169 Hwy significantly.
7. *The extent to which the zoning amendment may detrimentally affect nearby property.*
A. No detriment is anticipated to the adjacent nearby undeveloped land.
8. *Whether the proposed amendment provides a disproportionately great loss to the individual landowners nearby relative to the public gain.*
A. No loss to landowners is expected.
9. That in rendering this Finding of Fact, testimony at the public hearing on December 13, 2022, has been taken into consideration as well as the documents provided.

Recommendation of the Planning Commission

Based on the foregoing findings of fact, we conclude that:

- A. This application and the Rezoning of this property from R-1B to B-3 is governed by Section 400.620 of the zoning ordinance of Smithville, Missouri.
- B. The proposed zoning is compatible with the factors set out in Section 400.560(C) of the zoning ordinance.
- C. The Planning and Zoning Commission of the City of Smithville, Missouri does recommend approval of rezoning the property to R-3 with the submitted Conceptual Plan overlay and future compliance with the Site Plan Ordinance when development occurs.

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF SMITHVILLE, MISSOURI.

WHEREAS, The City of Smithville received an application for rezoning a portion of 18601 169 Hwy on October 14, 2022; and

WHEREAS, the public was notified by publishing in the CT paper on November 24, 2022 and notices were mailed to adjoining property owners more than 15 days prior to the December 13 hearing.

WHEREAS, a Public Hearing was conducted before the Planning Commission on December 13, 2022; and

WHEREAS, the rezoning is to create a single R-3 lot for development of an educational facility and dormitory to support the adjacent Herzog Foundation; and

WHEREAS, the Planning Commission presented its' findings to the Board of Aldermen and recommended approval of the rezoning request; and,

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

Section 1. Having received a recommendation from the Planning Commission, and proper notice having been given and public hearing held as provided by law, and under the authority of and subject to the provisions of the zoning ordinances of the City of Smithville, Missouri, by a majority council vote, the zoning classification(s) or district(s) of the lands legally described hereby are changed as follows:

The property legally described as:

All that part of the West half of the Southwest Quarter of Section 2, Township 53 North, Range 33 West of the Fifth Principal Meridian, located in the City of Smithville, Clay County, Missouri, being more particularly described as follows: Commencing at the West Quarter corner of said Section 2; thence North 89 degrees 41 minutes 40 seconds East along the North line of the Southwest Quarter of said Section 2, a distance of 1296.87 feet to the Northeast corner of the Northwest Quarter of the Southwest Quarter of said Section 2; thence South 00 degrees 17 minutes 14 seconds West along the East line of said Northwest Quarter, a distance of 343.83 feet to the Easterly prolongation of the South line of Lot 1, Final Plat Herzog Foundation, a subdivision of land located in Smithville, Clay County, Missouri recorded at Instrument Number 2020016029 in Book I at

Page 98.4 and the Point of Beginning of the tract of land herein to be described, said point also being on the Westerly right-of-way of North Main Street, as now established; thence South 89 degrees 42 minutes 14 seconds West along said South line and it's Easterly prolongation, a distance of s Easterly prolongation, a distance of 620.26 feet; thence South 00 degrees 17 minutes 46 seconds East, a distance of 7.00 feet; thence along a curve to the right, having a chord bearing of South 71 degrees 07 minutes 08 seconds East, a chord length of 44.02 feet and a radius of 67.00 feet, a distance of 44.85 feet; thence South 51 degrees 56 minutes 26 seconds East, a distance of 96.63 feet; thence along a curve to the right, having a chord bearing of South 31 degrees 26 minutes 30 seconds East, a chord length of 46.93 feet and a radius of 67.00 feet, a distance of 47.94 feet; thence South 10 degrees 56 minutes 32 seconds East, a distance of 704.56 feet; thence South 89 degrees 42 minutes 22 seconds East, a distance of 340.17 feet to the Westerly right-of-way North Main Street, as now established; thence North 00 degrees 17 minutes 14 seconds East along said Westerly right-of-way line, a distance of 817.56 feet to the point of beginning.

is hereby changed from R-1B to R-3P with a conceptual plan overlay.

Section 2. That the conceptual plan includes restrictions and changes upon the allowable uses, height and yard regulations in the Section 400.150 for an R-3 district, as follows:

400.150.B, subparagraphs 1-4 are allowed; subparagraph 5 is amended to exclude all listed uses except dormitories; subparagraphs 6 and 7 are allowed.

400.150.C subparagraphs 1, 3 and 4 are excluded.

400.150.D.3 is amended to allow a maximum lot coverage of thirty-five (35) percent.

400.150.E. is amended by reducing the maximum structure height to two (2) stories.

400.150.F.1.a. is amended to increase the front yard setback to 100 feet.

400.150.F.2 is amended to increase the side setback to 40 feet.

Section 3. Upon the taking effect of this ordinance, the above zoning changes, including the modifications to the current regulations as identified in the conceptual plan document shall be entered and shown upon the "Official Zoning Map" previously adopted and said Official Zoning Map is hereby reincorporated as a part of the zoning ordinance as amended.

Section 4. This ordinance shall take effect and be in full force from and after the approval.

PASSED THIS 17th DAY OF JANUARY, 2023

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 12/20/2022

Second Reading 01/17/2023



STAFF REPORT
December 9, 2022
Rezoning portion of Parcel Id # 05-301-00-01-005.00

Application for Rezoning District Classification Amendment and Overlay District

Code Sections:

400.560.C Zoning District Classification Amendments

Property Information:

Address: NE corner of 18601 N 169 Hwy
Owner: Diocese of Kansas City-St. Joseph
Current Zoning: R-1B
Proposed Zoning: Part of R1B to R-3

Public Notice Dates:

1st Publication in Newspaper: November 24, 2022
Letters to Property Owners w/in 185': November 28, 2022

GENERAL DESCRIPTION:

The applicant has a contract to purchase an 8-acre parcel from the current Catholic Church site for the purpose of constructing what is now described as an education center and dormitory. The facility would include both dormitory rooms for students attending the facility's training and classes, as well as some meeting rooms. The property is along N. Main Street and lies south of the Stanley M. Herzog Charitable Foundation offices and the cabins. Currently, the Foundation lot is zoned B-2, but the proposed use of a dormitory and educational facility can be constructed on R-3. This will require rezoning this new lot to R-3.

In order to accommodate some of the identified neighbor and commissioner concerns from its' previous B-3 request, the applicant has submitted a conceptual plan overlay to be included. That overlay specifically restricts the permitted uses by eliminating all uses listed in the R-3 district permitted uses,

paragraph 5, except dormitories, as well as excluding all conditionally permitted uses except those identified in paragraph #2 related to religious, educational and social facilities.

The overlay also adjusts the setbacks from 55' (front) and 7.5' (side) to 100' and 40' respectively.

EXISTING ZONING:

The existing zoning is R-1B with a church constructed on the lot.

CHARACTER OF THE NEIGHBORHOOD *400.560.C.1*

The surrounding area is a mix of R-1 single family housing to the south of the Catholic Church, as well as many acres of undeveloped land to the south and east. The lot north is B-2 and houses the Foundation offices and the four cabin buildings.

CONSISTENCY WITH COMPREHENSIVE PLAN AND ORDINANCES *400.560.C.2*

The new Comprehensive Plan was approved by the Planning Commission on November 10, 2020 and adopted as the Board policy on November 17, 2020. This Comprehensive plan was adopted following the change in zoning of the current Herzog Foundation to B-2. This new plan is like previous versions of the Comprehensive Plan in that it describes the process of using the plan in rezoning decisions. "When property owners and developers request zoning changes, th[e] Future Land Use Map is one of the key considerations for the zoning recommendation with the Planning and Zoning Commission's and the Board of Aldermen's decisions and other principles in this Comprehensive Plan." *Comprehensive Plan 2030*, pg. 43.

The new Comprehensive Plan includes a new Future Land Use Map shown below, with a color-coded key to the side.



The property subject to this rezoning request is roughly the area located with the black outlined mark and contained in land described as Institutional, Civic. "Civic and Institutional uses include, but are not limited to, educational facilities and campuses, libraries, places of worship, and other community-oriented areas." *Comprehensive Plan 2030*, pg. 46-47. Please note that the B-2 property to the north originally included a B-3 parcel that was down-zoned to B-2 and increased from 2.25 to 8 acres. This proposal would increase the size of the developed area by its' proposed 8 acres and increase the zoning level to R-3 (previous submittal was B-3) with a conceptual plan. With its' conceptual plan submittal, the applicant clearly identifies how it proposes to develop the area. The proposed conceptual plan does not seek nor will it be granted site plan approval of any buildings. Any actual construction would again be subject to the site plan review process. That process also now includes off-street and on site public improvements triggered by the subdivision code. These facts are what must be used to determine if the suggested change meets the definition of Civic or Institutional Uses as described in the Comprehensive Plan or that meets the overall intent of the plan is a decision that the Planning Commission must evaluate and decide prior to its' recommendation to the Board of Aldermen.

ADEQUACY OF PUBLIC UTILITIES OR OTHER PUBLIC SERVICES *400.560.C.3*

Streets and Sidewalks:

The adjacent street (N. Main St.) is an open ditch chip seal street that is otherwise unimproved. There will be a sidewalk along the west side of N. Main St. on the Herzog Foundation Lot that this lot can access. If approved, the site plan review process, which now incorporates all aspects of the subdivision code requirements should be used for guaranteeing upgrades to those streets and sidewalks.

Water, Sewer and Storm water

The city has adequate water supply on the east of the parcel and sewer bisects the property already. A storm study will be required as a part of the site plan process prior to any construction.

All other utilities

Future Development will be conditioned upon installation of all other needed utilities at the cost of the development.

SUITABILITY OF THE USES TO WHICH THE PROPERTY HAS BEEN RESTRICTED UNDER ITS EXISTING ZONING *400.560.C.4*

The current use is as a church facility to the west, but the subject property is undeveloped land.

TIME THE PROPERTY HAS REMAINED VACANT AS ZONED *400.560.C.5*

The property was zoned to the existing district classification of R-1B in 2004 for the Rock Creek Subdivision. In 2009, after the housing bubble burst no construction occurred in the brand-new residential development, the future development area of the subdivision was acquired by the Catholic Church and the church was constructed.

COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY LAND *400.560.C.6*

The adjacent land (except the church and applicants' other facilities to the north) is either residential, or vacant, undeveloped land, with a future land use designation of either agricultural or residential. The intended district will expand the impact of the uses from the original impacted area of 188th St. and 169 Hwy, but proposed gates on the Main Street side will limit the traffic impact.

EXTENT WHICH THE AMENDMENT MAY DETRIMENTALLY AFFECT NEARBY PROPERTY *400.560C.7*

To the extent that the adjacent land is undeveloped but intended to be either residential or agricultural in use, any detrimental effects are not known, but it could impact the future development of that land due to the proximity of the use. Again, the compliance with the Comprehensive plan and its' Future Land Use Map is the up to the Commission for its' recommendation to the Board

WHETHER THE PROPOSAL HAS A DISPROPORTIONATE GREAT LOSS TO ADJOINING PROPERTY OWNERS' RELATIVE TO THE PUBLIC GAIN *400.560.C.8*

Without a specific determination as to Comp plan compliance, any detrimental effects would be prospective and any loss would be to a future development plan, so, no great loss is expected.

STAFF RECOMMENDATION:

Staff recommends that the Commission base its' decision using the decision-making infrastructure included in both the zoning ordinance and the Comprehensive Plan. The question is whether increasing the intensity of use of land that is further away from the high traffic of 169 and 188th St. meets the new Comprehensive Plan 2030 recommendations on density. Staff's findings and recommendations are based upon the current code requirements contained in the Site Plan Review provisions of the code that identifies street improvements and storm water protections be constructed in accordance with the Subdivision Code requirements.

Respectfully Submitted,

Zoning Administrator



Herzog Education Center

Planned Development Overlay: Concept Design

December 13, 2022



FOUNDATION MISSION:

ADVANCING CHRISTIAN EDUCATION

The Stanley M. Herzog Charitable Foundation's mission is to catalyze and accelerate the development of quality Christ-centered K-12 education so that families and culture flourish.





HERZOG EDUCATION CENTER:

We provide training, events, and conferences to better train leaders who are molding the next generation. These events will be a time to share best-practices and cutting-edge ideas from national thought leaders. Focuses will include institutional management, classroom management, civics education for public and private school educators, and leadership training for civic leaders.





STABLE AND RELIABLE PRESENCE

The mission and activities of The Herzog Foundation and Herzog Education Center will be a stable and reliable presence in the community.

MISSION DRIVEN

- The Herzog Education Center is a mission driven, non-profit organization focused on advancing Christian Education.
- The Center will not be used as a commercially oriented, profit-driven, facility.



HERZOG GRANTEES



COMMUNITY ENGAGED

- The Herzog Foundation and Herzog Education Center will be a resource for local Community Groups, Schools and Non-profits by providing places to meet and congregate.
- The Herzog Foundation will host a variety of local groups to engage in conversations important to the local and regional community.



LOCAL BUSINESS PARTNERS



**HUMPHREY'S
SPORTS BAR &
GRILL**



Attic Storage



Aroma Bistro



Donut Palace

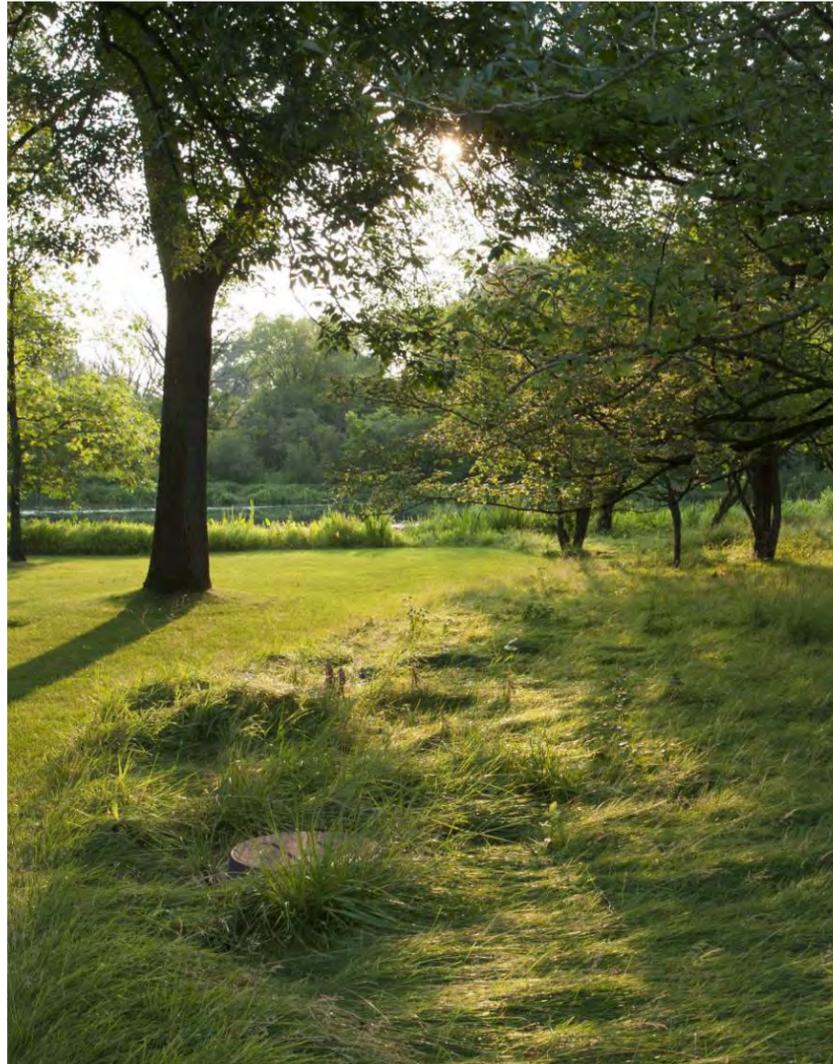


POSITIVE ECONOMIC IMPACT

- The Herzog Education Center will boost many local business by purchasing their products and services to serve its mission.
- The staff and visitors coming to the Herzog Education Center will be daily patrons of local businesses.

JOB CREATOR

28 new jobs have been created at the current Herzog Foundation, with an additional 15 jobs planned to support The Herzog Education Center.



GOOD NEIGHBOR

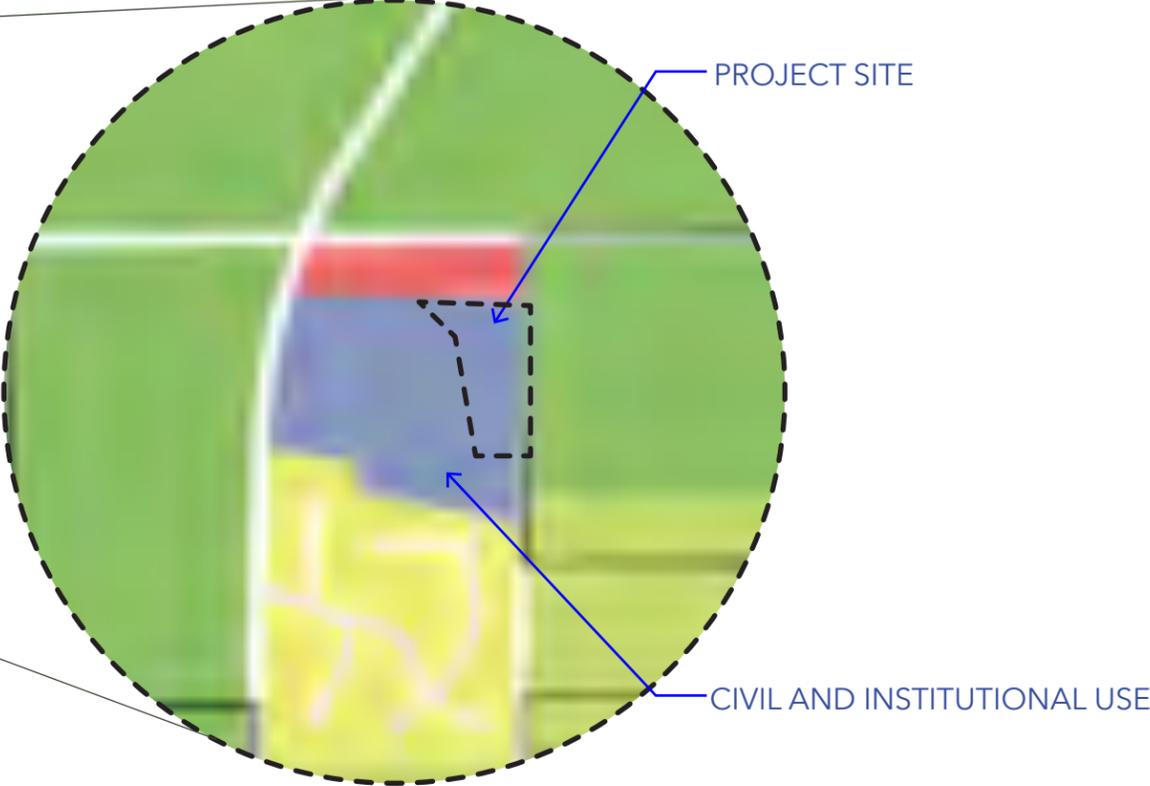
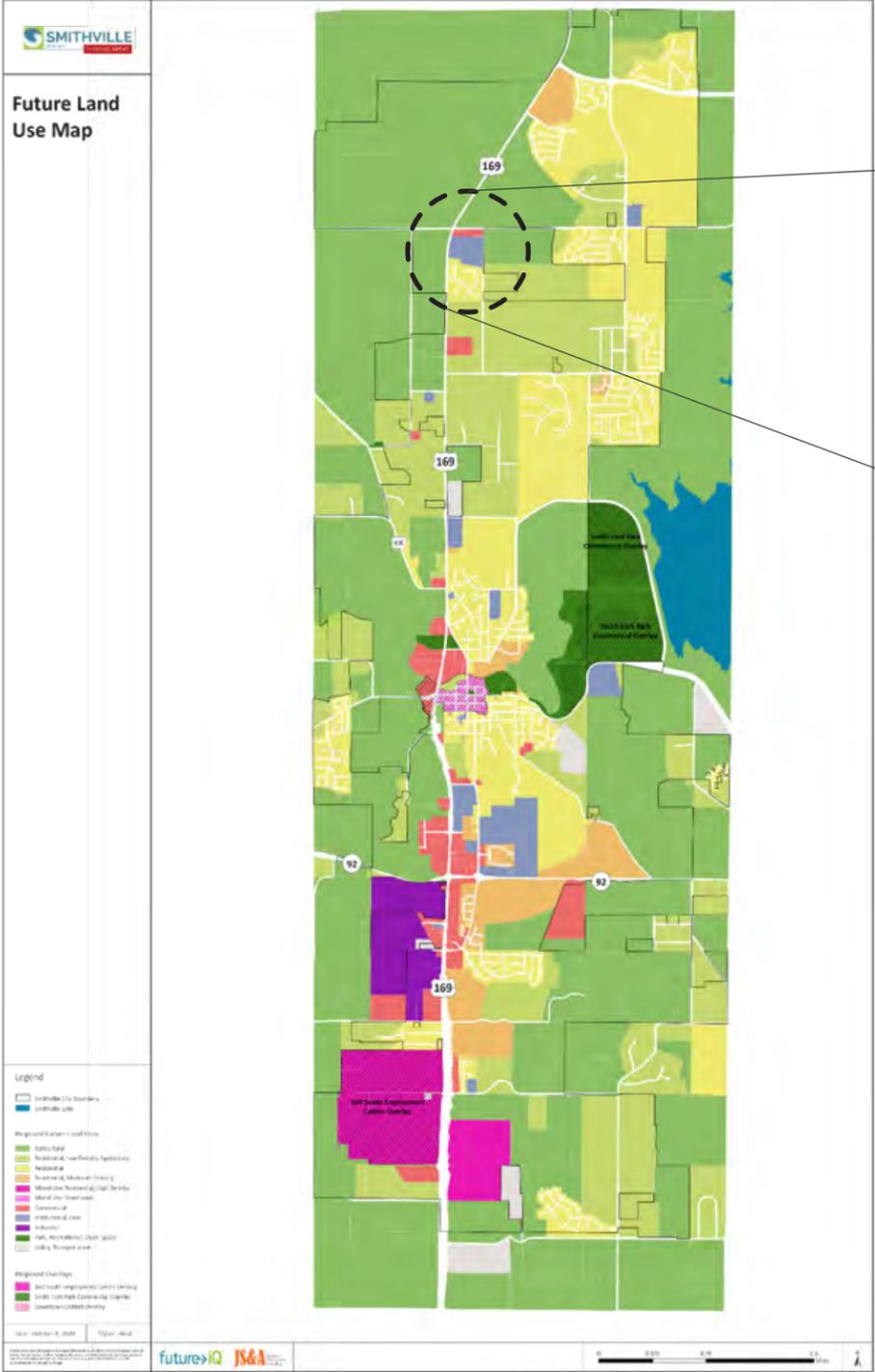
- The Herzog Foundation staff and operating budget will allow their facilities and grounds to be maintained at the highest level of attention and care.
- The design of the public utilities will be engineered by best-in-class design professionals and will not create a negative load or burden to the public water, gas or electric systems.
- The Herzog Education Center will meet all local requirements for storm water management and improve existing conditions along Main St.
- The Herzog Education Center will be a quiet neighbor with a majority of the on-site activity shielded from adjacent land owners to the south, west and east.



ARCHITECTURE AND DESIGN

- The building and grounds of the Education Center will be designed to be in-keeping with the surrounding agricultural character of Northwest Missouri buildings and landscapes.
- The building design is inspired by barns and agricultural structures from the surrounding area.
- The landscape design will use all native species and blend seamless with the surrounding prairies, fields and trees.

CITY'S COMPREHENSIVE PLAN
FUTURE LAND USE MAP



Civil and Institutional uses include, but are not limited to, educational facilities and campuses, libraries, places of worship and other community-oriented areas.

*Definition from City's Comprehensive Plan Document



CURRENT ZONING DISTRICT 'R-1B'

Permitted Uses:

1. Detached, single-family dwellings.
2. Fire and Police protection and related activities.
3. Historic sites and monuments.
4. Parks, playgrounds, primary and secondary schools.
5. Signs, as provided in Sections 400.470 – 400.520 of this Code.
6. Accessory uses customarily incidental to permitted uses and otherwise conforming to the provisions contained in Section 400.370.

Conditionally Permitted Uses: *The following uses may be conditionally permitted provided they obtain a conditional use permit in accordance with Section 400.570 of this Code:*

1. Cemeteries and mausoleums.
2. Museums, libraries, accessory buildings associated with religious worship facilities.
3. Athletic fields, golf courses, tennis, handball, squash and basketball courts.

Height Regulations: The maximum height shall be thirty-five (35) feet.

Lot Coverage: The maximum lot coverage area shall be thirty percent (30%).

Setbacks

Front: 55 feet.
Side: 7.5 feet.
Rear: 20 feet.

PROPOSED ZONING DISTRICT 'R-3'

 Indicates item to be modified by Planned Development Overlay

Permitted Uses:

1. Single-, two- and multi-family dwellings.
2. Fire and Police protection and related activities.
3. Historic sites and monuments.
4. Parks, playgrounds, primary and secondary schools.
5. Retirement, convalescent, nursing, and rest homes; convents, monasteries, orphanages, dormitories, fraternity, and sorority houses; boarding and rooming houses.
6. Signs, as provided in Sections 400.470 – 400.520 of this Code.
7. Accessory uses customarily incidental to permitted uses and otherwise conforming to the provisions contained in Section 400.370.

Restrict all uses except for dormitories

Signage as outlined in Planned Development Overlay Submittal

Conditionally Permitted Uses: *The following uses may be conditionally permitted provided they obtain a conditional use permit in accordance with Section 400.570 of this Code:*

1. Recreational and entertainment uses, including amphitheaters, athletic fields, campgrounds, country clubs, golf courses and driving ranges, fairgrounds, recreation centers, resorts, riding stables, swimming clubs, tennis clubs and zoos.
2. Religious, educational, and social facilities, including museums; charities; accessory uses associated with houses of worship; colleges and universities (public and private); educational and scientific research services; libraries; schools for primary, secondary, vocation and higher education, daycares with more than five (5) children.
3. Public health and safety facilities, including, clinics, health centers, hospitals and counseling, treatment, and correctional centers.
4. Transportation, communication, and utility facilities, including electrical power stations and substations; railroad stations, depots and maintenance facilities, so long as adjacent to an existing railroad line; postal services; sewage treatment plants; telephone exchange stations and relay towers; and towers for communications transmission.

Restrict Uses

Restrict Uses

Restrict Uses

Height Regulations: The maximum structure height shall be five (5) stories.

Restrict maximum structure height two (2) stories

Lot Coverage: The maximum lot coverage area shall be thirty percent (30%).

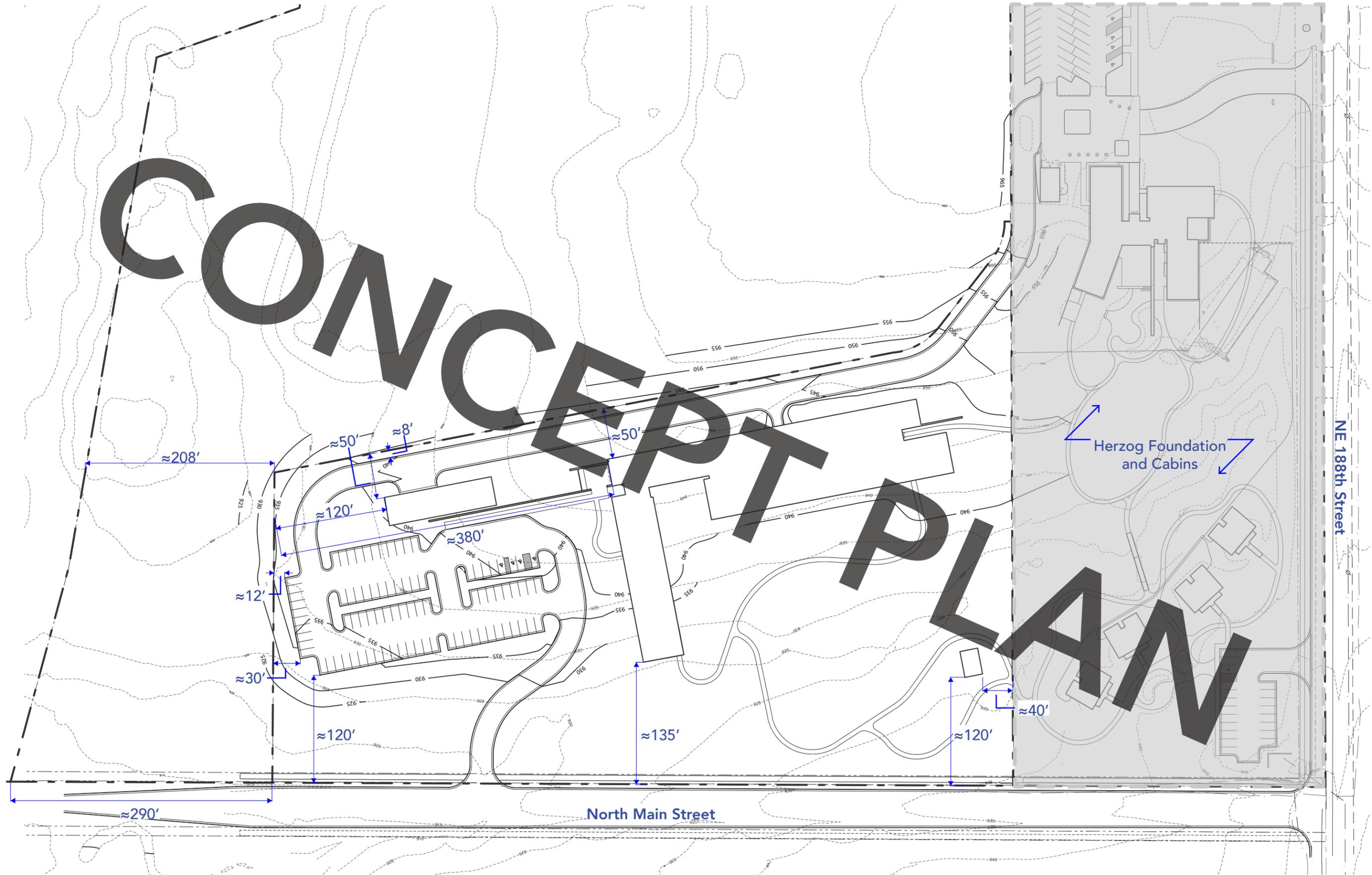
**Increase lot coverage to 35%.
Allows a shorter building.**

Setbacks
Front: 55 feet.
Side: 7.5 feet.
Rear: 20 feet.

Revised Setbacks
Front: 100'
Side: 40'



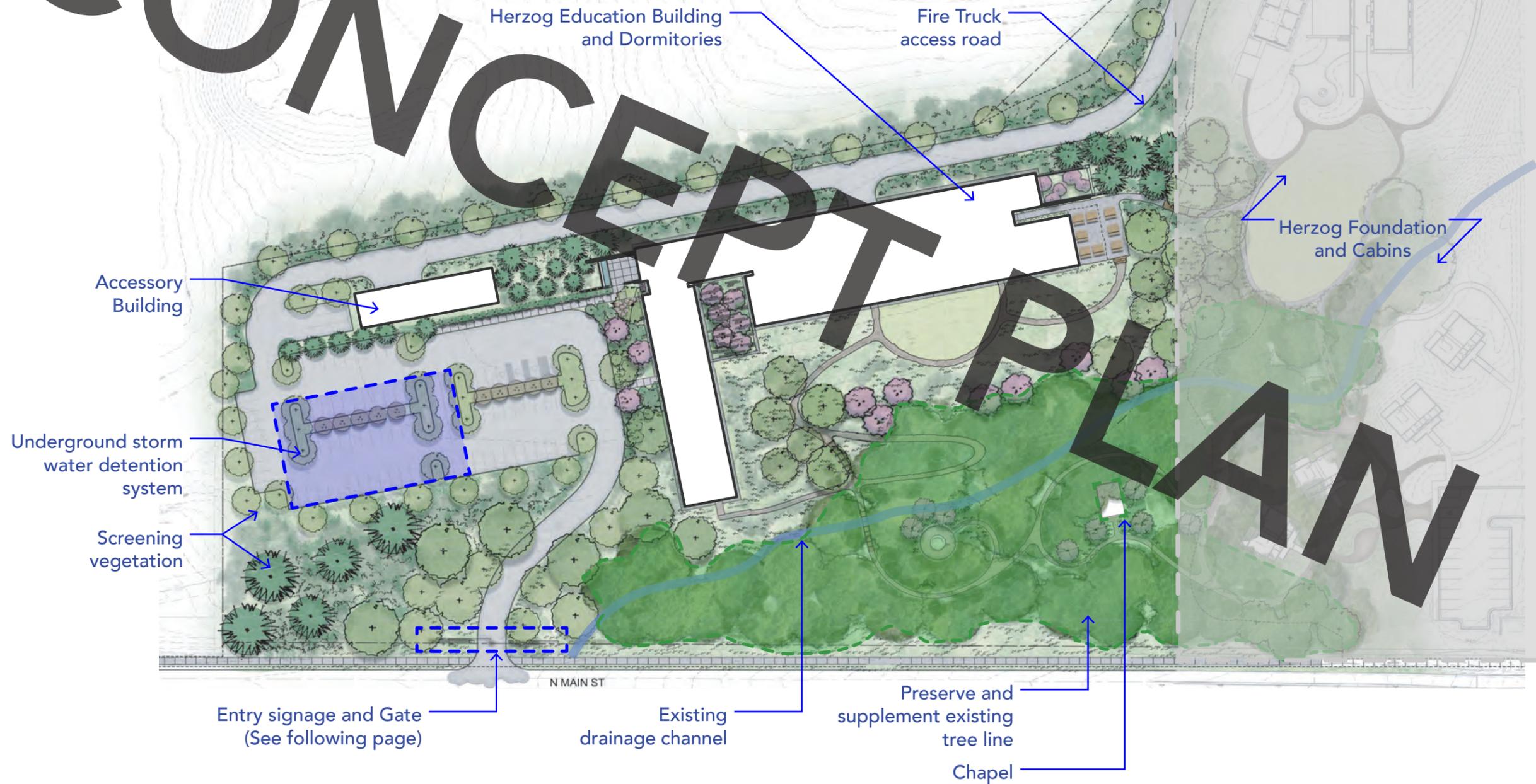
CONCEPT PLAN



Scale: 1" = 100'-0"

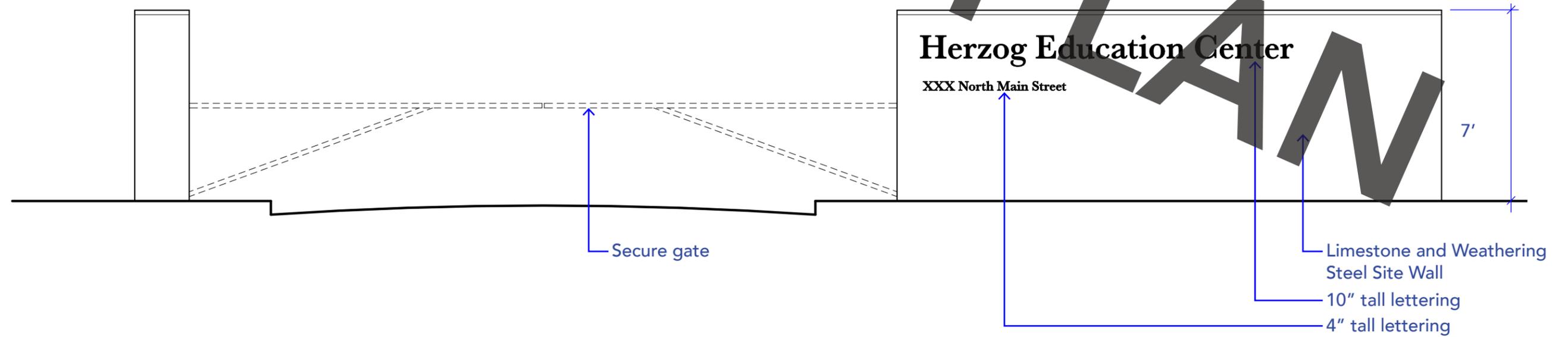


CONCEPT PLAN



Scale: 1" = 100'-0"

















HF





Board of Aldermen Request for Action

MEETING DATE: 1/17/2023

DEPARTMENT: Development

AGENDA ITEM: Bill No. 2971-22, Rezoning NE corner of Second Creek and Lowman Road - 2nd Reading

REQUESTED BOARD ACTION:

A motion to approve Bill No. 2971-22 for Second Reading by Title Only to rezone the NE corner of Second Creek and Lowman Road from A-1 to R-1B and R-3.

SUMMARY:

The ordinance would change the zoning from agricultural to both single family and multifamily to accommodate a 53-lot single family and 17 lot two-family townhomes (87 dwellings) on 32.04 acres.

BACKGROUND:

The property is currently zoned A-1 and was in the Lowman family for many years. The property was sold last year to a developer. Due to financial complications, that developer contracted with another developer to buy the land. The new developer is purchasing the land contingent upon the rezoning and approval of a new subdivision. Due to how busy engineers are at this time, the actual plat approval was postponed until January to allow traffic studies to be reviewed. The zoning is required prior to any plat approval is authorized on this land, so that delay doesn't impact any rezoning issue. The proposed Preliminary Plat would create 53 single family and 17 multifamily lots (for two family townhomes) and the description of the rezoning is the entire parcel would be R-1B, except the proposed lots 101-117, which would be R-3. The public hearing on the rezoning was conducted by the Planning Commission on December 13, 2022. There were several participants, both for and against the development. The primary concerns were potential road improvements and the smell of the sanitary sewer plant just downstream from the property. The support was focused on how this plan is precisely what the new Comprehensive plan calls for and the growing need for housing that is attainable by work force participants like police and teachers. Following the hearing, the Commission discussed various aspects of the proposal, and then went through the potential findings of fact one by one to elicit comments or changes from the Commissioners. After no changes were recommended, the commission voted to approve the Findings of Fact and recommend approval of the rezoning.

PREVIOUS ACTION:

The A-1 zoning was in place since the property was annexed into the city.

POLICY ISSUE:

Complies with the Comprehensive Plan uses for the area.

FINANCIAL CONSIDERATIONS:

None

ATTACHMENTS:

- | | |
|---|-----------------------------------|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input checked="" type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: Findings of Fact and Planning and Zoning meeting is available for viewing online | |

FINDING OF FACTS AND CONCLUSIONS OF LAW

Applicant: LMW, Inc.

Land Use Proposed: R-1b and R-3

Zoning: A-1

Property Location: NE corner of Second Creek and Lowman Roads

Pursuant to the provisions of Section 400.560(C) of the Smithville Code, the Planning Commission does hereby make the following findings of fact based upon the testimony and evidence presented in a public hearing of the Planning and Zoning Commission of the City of Smithville, held on December 13, 2022, and presents these findings to the Board of Aldermen, with its' recommendations on the application.

Finding of Facts

1. *Character of the neighborhood.*
The surrounding area is a mix of a few single-family houses on agriculturally zoned land, R-3 land to the west across Lowman Road and farmland in unincorporated Clay County to the south. Significantly larger residential subdivisions lie just west of the parcel, and the proposed Downtown overlay district is to the east.
2. *Consistency with the City's Comprehensive Plan and ordinances.*
A. The existing Comprehensive Plan was approved on November 10, 2020 and calls for an overlay district for expanding downtown to just east of the boundary with Second Creek itself. The proposed density in the proposed subdivision is less than most other new subdivisions proposed in the recent past and completes infill development between the expanded downtown and the dense subdivisions to the west.
3. *Adequacy of public utilities and other needed public services.*
The application is to rezone to allow a 53 single-family and 17 multifamily lot subdivision to be constructed. All utilities and services are available currently but must be extended through this facility at the applicant's sole cost and expense.
4. *Suitability of the uses to which the property has been restricted under its existing zoning.*
The current use is farm/pasture, but the subject portion of the land is undeveloped.

5. *Length of time the property has remained vacant as zoned.*
The property was zoned to the existing district classification when annexed into the city. With the recent completion of gravity sewers along the property near the river, the land has become more developable.
6. *Compatibility of the proposed district classification with nearby properties.*
The adjacent land (other than 3 houses on lots larger than 3 acres) is undeveloped farm or pastureland. Nearby is commercial land on the east, R-3 multifamily across Lowman Road with two larger subdivisions to the west of that land. The city's sewer treatment plant is just north of the subject parcel as well.
7. *The extent to which the zoning amendment may detrimentally affect nearby property.*
No detriment is anticipated to the adjacent housing or vacant lands.
8. *Whether the proposed amendment provides a disproportionately great loss to the individual landowners nearby relative to the public gain.*
No loss to landowners is expected.
9. That in rendering this Finding of Fact, testimony at the public hearing on December 13, 2022, has been taken into consideration as well as the documents provided.

Recommendation of the Planning Commission

Based on the foregoing findings of fact, we conclude that:

- A. This application and the Rezoning of this property from A-1 to R-1B and R-3 is governed by Section 400.620 of the zoning ordinance of Smithville, Missouri.
- B. The proposed zoning is compatible with the factors set out in Section 400.560(C) of the zoning ordinance.
- C. The Planning and Zoning Commission of the City of Smithville, Missouri does recommend approval of rezoning the property to R-1b and R-3 as shown on the proposed preliminary plat.

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF SMITHVILLE, MISSOURI AND ENTERING INTO A DEVELOPMENT AGREEMENT.

WHEREAS, The City of Smithville received an application for rezoning a portion of the property at the northeast corner of Second Creek and Lowman Roads on October 14, 2022; and

WHEREAS, the public was notified by publishing in the CT paper on November 24, 2022 and notices were mailed to adjoining property owners more than 15 days prior to the December 13 hearing.

WHEREAS, a Public Hearing was conducted before the Planning Commission on December 13, 2022; and

WHEREAS, the rezoning is to create a residential subdivision with both R-1b single family and R-3 lots for a total of 87 dwellings on 32.04 acres; and

WHEREAS, the Planning Commission presented its' findings to the Board of Aldermen and recommended approval of the rezoning request; and,

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

Section 1. Having received a recommendation from the Planning Commission, and proper notice having been given and public hearing held as provided by law, and under the authority of and subject to the provisions of the zoning ordinances of the City of Smithville, Missouri, by a majority council vote, the zoning classification(s) or district(s) of the lands legally described hereby are changed as follows:

The property legally described as:

Beginning at the Center of Section 22, Township 53 North, Range 33 West, Smithville, Clay County, Missouri: thence along the West line of the Northeast Quarter South 00 degrees 14 minutes 39 seconds West, 891.19 feet to the Point of Beginning; thence departing from said line North 86 degrees 33 minutes 30 seconds East, 158.95 feet; thence North 71 degrees 05 minutes 54 seconds East, 32.66 feet; thence North 60 degrees 12 minutes 57 seconds East, 32.75 feet; thence North 46 degrees 27 minutes 34 seconds East, 32.75 feet; thence North 26 degrees 21 minutes 27 seconds East, 34.42 feet; thence North 02 degrees 30 minutes 52 seconds West, 81.85 feet; thence North 42 degrees 49 minutes 26 seconds East, 107.94 feet; thence North 15 degrees 12 minutes 59 seconds East, 33.30 feet; thence North 10 degrees 37 minutes 40 seconds West, 80.63 feet;

thence North 35 degrees 27 minutes 45 seconds West, 21.62 feet; thence North 59 degrees 42 minutes 09 seconds West, 76.49 feet; thence North 02 degrees 32 minutes 45 seconds West, 178.55 feet; thence South 88 degrees 26 minutes 47 seconds East, 141.04 feet; thence North 77 degrees 48 minutes 48 seconds East, 79.58 feet; thence North 54 degrees 21 minutes 27 seconds East, 148.47 feet; thence North 72 degrees 21 minutes 17 seconds East, 54.97 feet; thence North 81 degrees 50 minutes 29 seconds East, 104.14 feet; thence South 84 degrees 13 minutes 11 seconds East, 45.70 feet; thence South 16 degrees 43 minutes 53 seconds West, 42.65 feet; thence South 69 degrees 55 minutes 24 seconds East, 294.94 feet; thence North 84 degrees 13 minutes 27 seconds East, 380.00 feet; thence South 35 degrees 57 minutes 59 seconds East, 181.79 feet; thence South 58 degrees 23 minutes 08 seconds East, 195.06 feet; thence South 72 degrees 51 minutes 44 seconds East, 218.40 feet; thence South 36 degrees 05 minutes 11 seconds West, 223.71 feet; thence South 44 degrees 41 minutes 46 seconds West, 76.13 feet; thence South 56 degrees 48 minutes 44 seconds West, 50.08 feet; thence South 42 degrees 13 minutes 07 seconds West, 204.68 feet; thence South 11 degrees 53 minutes 00 seconds East, 114.56 feet; thence North 88 degrees 46 minutes 08 seconds West, 301.07 feet; thence South 05 degrees 07 minutes 36 seconds West, 223.86 feet; thence North 89 degrees 59 minutes 07 seconds West, 269.20 feet; thence North 00 degrees 28 minutes 10 seconds West, 330.01 feet; thence North 89 degrees 59 minutes 13 seconds West, 330.22 feet; thence South 00 degrees 30 minutes 25 seconds East, 330.00 feet; thence North 89 degrees 59 minutes 07 seconds West, 639.40 feet to the West Quarter Corner of the Southeast Quarter; thence along said West line of the Northwest Quarter of the Southeast Quarter North 00 degrees 14 minutes 39 seconds East, 436.76 feet to the Point of Beginning.

is hereby changed from A-1 to R-1B and R-3 in accordance with the attached proposed plat.

Section 2. Upon the taking effect of this ordinance, the above zoning changes shall be entered and shown upon the "Official Zoning Map" previously adopted and said Official Zoning Map is hereby reincorporated as a part of the zoning ordinance as amended.

Section 3. This ordinance shall take effect and be in full force from and after the approval.

PASSED THIS 17th DAY OF JANUARY, 2023.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 12/20/2022

Second Reading 01/17/2023



STAFF REPORT
December 9, 2022
Rezoning of Parcel Id # 05-504-00-01-010.01

Application for a Zoning District Classification Amendment

Code Sections:

400.560.C Zoning District Classification Amendments

Property Information:

Address: Second Creek and Lowman Rd.
Owner: LMW Investments
Current Zoning: A-1
Proposed Zoning: R-1B and R-3

Public Notice Dates:

1st Publication in Newspaper: November 24, 2022
Letters to Property Owners w/in 185': November 28, 2022

GENERAL DESCRIPTION:

The applicant seeks to rezone approximately 32.04 acres +/- from A-1 to R-1B and R-3. The rezoning would accommodate 53 single family lots on the high ground mainly on the west of the parcel and 17 multifamily lots to accommodate up to 34 dwelling units in two family townhomes in the area immediately adjacent to the floodplain and floodway of Smith's Fork of the Little Platte River.

EXISTING ZONING:

The existing zoning predates the annexation into the city limits.

CHARACTER OF THE NEIGHBORHOOD *400.560.C.1*

The surrounding area is generally large parcel agricultural land with a total of 3 houses adjacent to the overall parcel. In addition, the zoning map shows

unincorporated county land to the south, commercial to the east, and R-3 multifamily to the west, across Lowman Road. The existing houses are all located on lots larger than 3 acres.

CONSISTENCY WITH COMPREHENSIVE PLAN AND ORDINANCES *400.560.C.2*

The existing Comprehensive Plan was approved on November 10, 2020 and adopted as the Board policy on November 17, 2020. This parcel adjoins what is identified as the Downtown District Overlay with intended increased density and uses. This parcel would meet the infill recommendations of vacant land between existing developments by approaching the Stone Creek Villas and Cedar Lakes Estates developments to the west. It would also improve connectivity between the areas.

ADEQUACY OF PUBLIC UTILITIES OR OTHER PUBLIC SERVICES *400.560.C.3*

Streets and Sidewalks:

An development would be required to improve the adjacent streets, and depending upon the timing of any construction, would also be responsible to install some of the proposed 8' multiuse trail/sidewalk along Second Creek in the City's near future plans.

Water, Sewer and Storm water

The city recently completed the South Sewer Interceptor project through a portion of this parcel, so the land is ideally located for sewers. Water is located on both street sides of the lot, and any upgrades needed will be the developer's responsibility. The property includes both floodplain and floodway areas, so all stormwater will flow directly into the floodplain and not impact adjacent properties. Any such impacts will be handled in the normal subdivision platting process, but the existing systems are more than adequate.

All other utilities

Future Development will be conditioned upon installation of all other needed utilities at the cost of the development.

SUITABILITY OF THE USES TO WHICH THE PROPERTY HAS BEEN RESTRICTED UNDER ITS EXISTING ZONING *400.560.C.4*

The current use is A-1, agricultural that was recently sold and divided off of the original owner's house. The property's location is ideal for residential

development with the new sewer interceptor, with new users assisting in paying for those improvements.

TIME THE PROPERTY HAS REMAINED VACANT AS ZONED *400.560.C.5*

The property was zoned to its' existing district classification when annexed. Only a couple of houses, on septic systems, were constructed. The property is also just south of the city's sewer treatment plant, so the land has only been used as farm ground.

COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY LAND *400.560.C.6*

The proposed districts would, at full build out, have a density of 2.7 units per acre, which is less dense than most of the new developments over the last several years. This density (which includes the 17 multifamily lots) has not shown to be incompatible with larger lot housing anywhere in the city and when viewed on a larger scale, is very compatible with the entire area.

EXTENT WHICH THE AMENDMENT MAY DETRIMENTALLY AFFECT NEARBY PROPERTY *400.560C.7*

No detrimental effects are known.

WHETHER THE PROPOSAL HAS A DISPROPORTIONATE GREAT LOSS TO ADJOINING PROPERTY OWNERS RELATIVE TO THE PUBLIC GAIN *400.560.C.8*

With no detrimental effects known, no great loss is expected.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed district based upon compliance with the Comprehensive Plan recommendations.

Respectfully Submitted,

Zoning Administrator

PRELIMINARY PLAT FOR SECOND CREEK MEADOWS SE 1/4, SECTION 22, T-53N, R-33W SMITHVILLE, CLAY COUNTY, MISSOURI

PROPERTY DESCRIPTION:

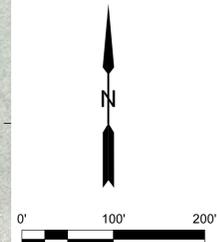
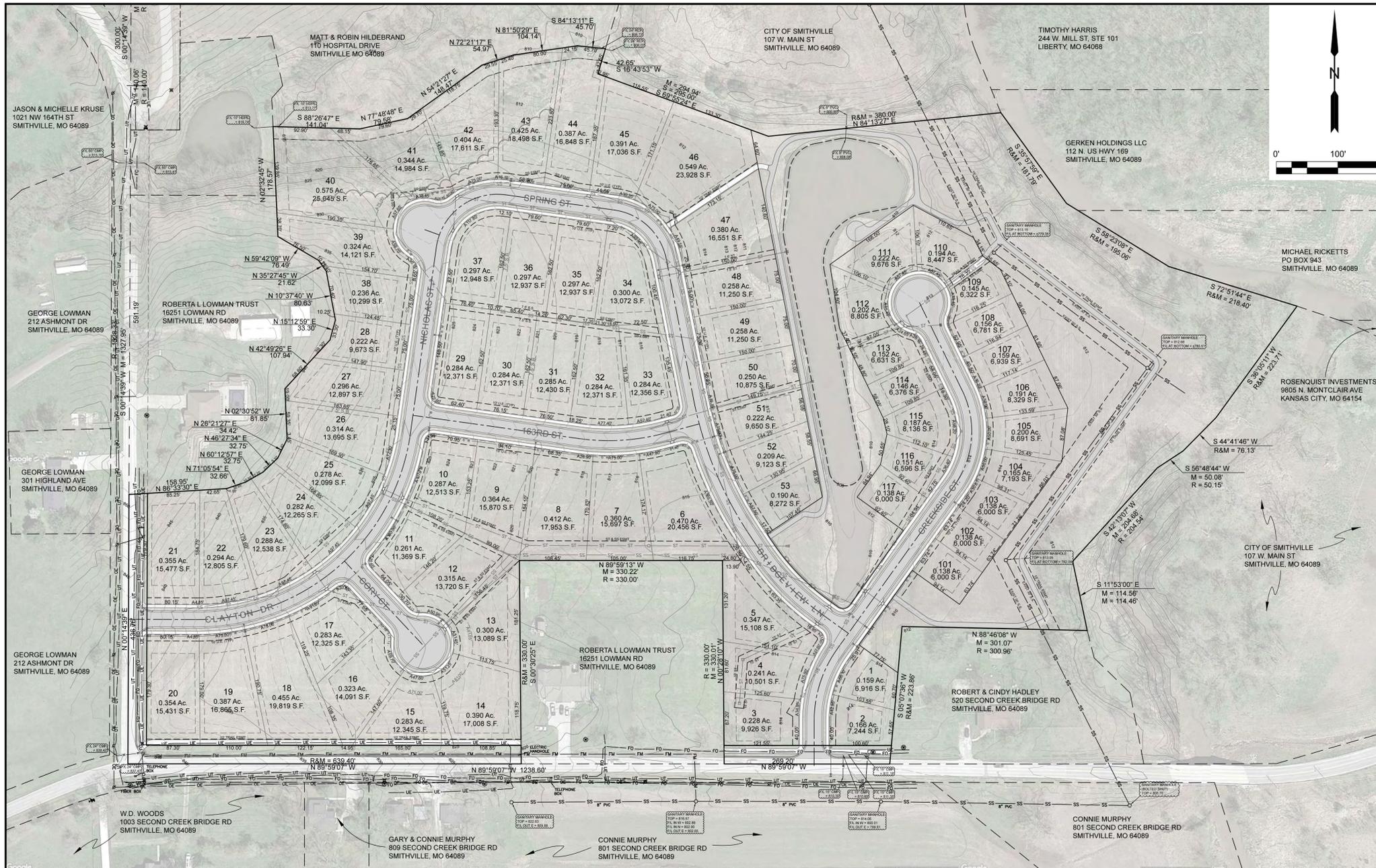
Beginning at the Center of Section 22, Township 53 North, Range 33 West, Smithville, Clay County, Missouri: thence along the West line of the Northeast Quarter South 00 degrees 14 minutes 39 seconds West, 891.19 feet to the Point of Beginning; thence departing from said line North 86 degrees 33 minutes 30 seconds East, 158.95 feet; thence North 71 degrees 05 minutes 54 seconds East, 32.66 feet; thence North 60 degrees 12 minutes 57 seconds East, 32.75 feet; thence North 46 degrees 27 minutes 34 seconds East, 32.75 feet; thence North 26 degrees 21 minutes 27 seconds East, 34.42 feet; thence North 02 degrees 30 minutes 52 seconds West, 81.85 feet; thence North 42 degrees 49 minutes 26 seconds East, 107.94 feet; thence North 15 degrees 12 minutes 59 seconds East, 33.30 feet; thence North 10 degrees 37 minutes 40 seconds West, 80.63 feet; thence North 35 degrees 27 minutes 45 seconds West, 21.62 feet; thence North 59 degrees 42 minutes 09 seconds West, 76.49 feet; thence North 02 degrees 32 minutes 45 seconds West, 178.55 feet; thence South 88 degrees 26 minutes 47 seconds East, 141.04 feet; thence North 77 degrees 48 minutes 48 seconds East, 79.58 feet; thence North 54 degrees 21 minutes 27 seconds East, 148.47 feet; thence North 72 degrees 21 minutes 17 seconds East, 54.97 feet; thence North 81 degrees 50 minutes 29 seconds East, 104.14 feet; thence South 84 degrees 13 minutes 11 seconds East, 45.70 feet; thence South 16 degrees 43 minutes 53 seconds West, 42.65 feet; thence South 69 degrees 55 minutes 24 seconds East, 294.94 feet; thence North 84 degrees 13 minutes 27 seconds East, 380.00 feet; thence South 35 degrees 57 minutes 59 seconds East, 181.79 feet; thence South 58 degrees 23 minutes 08 seconds East, 195.06 feet; thence South 72 degrees 51 minutes 44 seconds East, 218.40 feet; thence South 36 degrees 05 minutes 11 seconds West, 223.71 feet; thence South 44 degrees 41 minutes 46 seconds West, 76.13 feet; thence South 56 degrees 48 minutes 44 seconds West, 50.08 feet; thence South 42 degrees 13 minutes 07 seconds West, 204.68 feet; thence South 11 degrees 53 minutes 00 seconds East, 114.56 feet; thence North 88 degrees 46 minutes 08 seconds West, 301.07 feet; thence South 05 degrees 07 minutes 36 seconds West, 223.86 feet; thence North 89 degrees 59 minutes 07 seconds West, 269.20 feet; thence North 89 degrees 59 minutes 13 seconds West, 330.22 feet; thence South 00 degrees 30 minutes 25 seconds East, 330.00 feet; thence North 89 degrees 59 minutes 07 seconds West, 639.40 feet to the West Quarter Corner of the Southeast Quarter North 00 degrees 14 minutes 39 seconds East, 436.76 feet to the Point of Beginning

The above-described tract of land contains 32.04 acres, more or less, and is subject to all recorded and unrecorded easements, restrictions, and right-of-ways.

PROPERTY OWNER:
LMW INVESTMENTS, LLC
CLAYTON COX
215 DOUBLE TREE LANE
SMITHVILLE, MO 64089
816-352-2961

DEVELOPER:
KANSAS CITY PROPERTIES & INVESTMENTS LLC
SHANE CREES
P.O. BOX 475
SMITHVILLE, MO 64089
(816) 719-9327

ENGINEER:
SCHULTE ENGINEERING
DOUG SCHULTE, P.E.
21 GATYES DR.
SMITHVILLE, MO 64079
816-260-3328



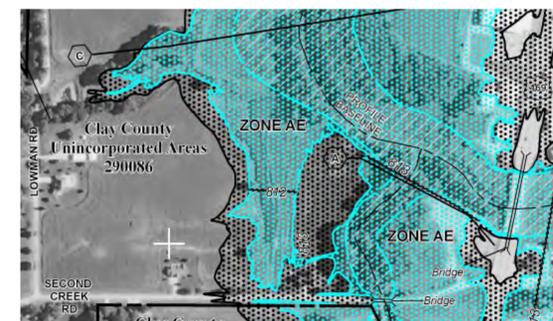
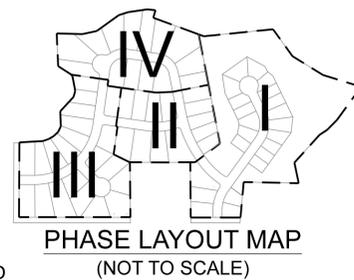
- NOTES FOR SINGLE FAMILY LOTS 1 THRU 53:**
- 1) PROPOSED ZONING IS "R-1B" SINGLE FAMILY DWELLING DISTRICT.
 - 2) MINIMUM LOT AREA IS 7,500 SF.
 - 3) MINIMUM LOT WIDTH IS 75 FT.
 - 4) MAXIMUM LOT COVERAGE IS 30% OF TOTAL LOT AREA.
 - 5) SETBACK LIMITS FOR R-1B ZONING ARE:
FRONT - 55.0'
SIDE - 7.5'
REAR - 20.0'

- NOTES FOR MULTIPLE FAMILY LOTS 101 THRU 117:**
- 1) PROPOSED ZONING IS "R-3" MULTIPLE FAMILY DWELLING DISTRICT.
 - 2) MINIMUM LOT AREA IS 5,000 SF.
 - 3) MINIMUM LOT WIDTH IS 50 FT.
 - 4) MAXIMUM LOT COVERAGE IS 30% OF TOTAL LOT AREA.
 - 5) SETBACK LIMITS FOR R-3 ZONING ARE:
FRONT - 55.0'
SIDE - 7.5'
REAR - 20.0'

OPEN SPACE DEDICATION REQUIREMENTS (PER SECTION 425.210):

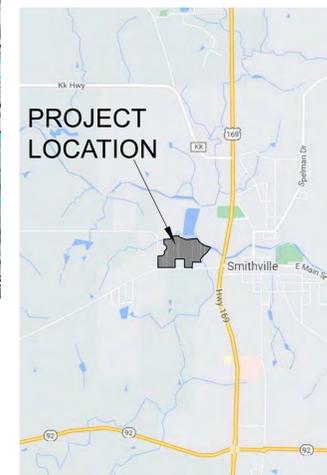
TOTAL DWELLING UNITS:	87 UNITS
CITY OF SMITHVILLE CENSUS DENSITY:	2.85 PERSON/UNIT
REQUIRED RECREATION AREA:	.02 AC/PERSON
DEDICATION REQUIREMENT:	87x2.85x.02 = 4.96 AC

- NOTES FOR DEVELOPMENT:**
- 1) DEVELOPMENT WILL BE PHASED AS INDICATED IN THE PHASE LAYOUT MAP.
 - 2) FULL SITE GRADING WILL BE COMPLETED DURING PH I CONSTRUCTION.
 - 3) UTILITIES SUCH AS WATER, SEWER, AND STORM WILL BE STUBBED FOR FUTURE PHASES AND INSTALLED AS THOSE PHASES DEVELOP.
 - 4) THE COMMON GROUND CONSISTING OF THE LAKE, TRAILS, AND ADJACENT OPEN AREAS SURROUNDING THE MULTI-FAMILY WILL BE DEDICATED FOR OPEN SPACE REQUIREMENT PER CHAPTER 425, SECTION 425.210.
 - 5) TRAIL IN COMMON GROUND WILL BE INSTALLED DURING PHASE II CONSTRUCTION.
 - 6) TRAIL IN DEDICATED EASEMENT WILL BE CONSTRUCTED IN PHASE III.
 - 7) CONNECTING TRAILS LOCATED BETWEEN LOTS SHALL BE CONCRETE. CONNECTING TRAILS LOCATED IN FUTURE PHASES SHALL BE CONSTRUCTED WITH THAT PHASE.
 - 8) ALL TRAILS ARE GRAVEL UNLESS NOTED OTHERWISE.
 - 9) THE EAST PORTION OF THE PROPERTY IS LOCATED WITHIN THE FLOOD PLAIN ACCORDING TO FEMA FLOOD MAP 29047C0014E WITH EFFECTIVE DATE OF 8/3/2015.
 - 10) BASE FLOOD ELEVATION (BFE) IS 812. THE SITE GRADING WILL PROVIDE A MINIMUM FINISHED FLOOR ELEVATION OF 814.
 - 11) WHERE BASEMENTS ARE CONSTRUCTED, BASEMENT FLOOR MUST BE ABOVE ELEVATION 814.



**FEMA FLOOD MAP
(NOT TO SCALE)**

- = GRAVEL
- = ASPHALT
- = CONCRETE



**VICINITY MAP
(NOT TO SCALE)**

REV.	DATE	BY	DESCRIPTION
4	01-05-2023	DJS	TRAIL EASEMENT ADDED ALONG SECOND CREEK RD
3	11-08-2022	DJS	ROAD NAME REVISIONS
2	11-28-2022	DJS	REVISED PER CITY REVIEW COMMENTS
1	10-14-2022	DJS	SUBMITTED TO CITY FOR PAZ REVIEW

CLIENT: LMW INVESTMENTS, LLC SMITHVILLE, MO	DRAWN BY: DJS	DATE: 10-14-2022	SCALE: NONE
PROJECT NUMBER: 2021.29		SHEET 1 OF 1	

PROJECT DESCRIPTION: SECOND CREEK MEADOWS SECOND CREEK BRIDGE ROAD SMITHVILLE, MO	PRELIMINARY PLAT
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Board of Aldermen Request for Action

MEETING DATE: 1/17/2023

DEPARTMENT: Administration

AGENDA ITEM: Bill No. 2972-23, Imposing a Sales Tax for General Revenue Purposes and Placing Issue on Ballot – 1st Reading and 2nd reading

REQUESTED BOARD ACTION:

A motion to approve Bill No. 2972-23, imposing a sales tax for general revenue purposed and placing the issue on the April 4 ballot as an emergency Ordinance sponsored by Mayor Boley first reading and second reading by title only.

SUMMARY:

On November 8, 2022, Missouri citizens voted to approve Amendment No. 3 legalizing adult use recreational marijuana. Amendment No. 3 allows Missouri cities to collect an additional 3% sales tax on adult use recreational marijuana, upon voter approval via a simple majority in a municipal election.

At the December 6 Board of Aldermen meeting, staff was directed to develop ballot language to bring forward for Board action to place the sales tax question on a future agenda. The first opportunity for cities to take this question to the voters is the April 4, 2023 election. Certification of ballot questions for this election must be approved by Ordinance by January 24, 2023.

Very early estimates by the Missouri Municipal League indicate cities with the additional 3% adult use recreational marijuana sales tax in place could see a projected \$150,000 in additional sales taxes per dispensary per year. The State of Missouri holds the authority to approve any additional future dispensaries statewide. It is unknown if the state will approve any additional dispensaries in Smithville beyond the one existing.

Medical marijuana purchases will not be subject to the 3% additional adult use recreational marijuana sales tax. Only individuals purchasing adult use recreational marijuana will pay the additional 3% sales tax. Existing sales taxes will also be collected.

More than 50 cities and counties across the state have placed this question on the April 4 ballot. In the Kansas City area, these include Belton, Blue Springs, Excelsior Springs, Gladstone, Grain Valley, Grandview, KCMO, Kearney, Independence, Raymore, Raytown and Sugar Creek.

PREVIOUS ACTION:

Following the November 8 election, the Board of Aldermen discussed this issue at the December 6 Board of Aldermen meeting, directing staff to bring an Ordinance forward

for action allowing for certification with the county clerk's office prior to January 24, 2023.

POLICY OBJECTIVE:

Financial administration

FINANCIAL CONSIDERATIONS:

N/A

ATTACHMENTS:

- | | |
|---|-----------------------------------|
| <input checked="" 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: | |

AN ORDINANCE OF THE CITY OF SMITHVILLE, MISSOURI, IMPOSING A SALES TAX FOR GENERAL REVENUE PURPOSES, IN ADDITION TO ANY AND ALL OTHER TANGIBLE PERSONAL PROPERTY RETAIL SALES TAXES IN EFFECT IN THE CITY, AT THE RATE OF THREE PERCENT (3%) FOR THE PRIVILEGE OF SALE AT RETAIL OF ADULT USE MARIJUANA SOLD IN THE CITY, IF SUCH PROPERTY AND SERVICES ARE SUBJECT TO TAXATION BY THE STATE OF MISSOURI, UNDER THE PROVISIONS OF SECTIONS 32.085 AND 94.500 THROUGH 94.550 R.S.Mo; AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE MUNICIPAL ELECTION CALLED AND TO BE HELD IN THE CITY OF SMITHVILLE ON THE 4th DAY OF APRIL, 2023

WHEREAS, On November 8, 2022 Missouri Voters approved Missouri Amendment 3, Marijuana Legalization Initiative (2022) the City is seeking to impose a Sales Tax under the provisions of as approved by the voters and sections 32.085 and 94.500 to 94.550 R.S.Mo., in the amount of three percent (3%); and

WHEREAS, the City is authorized, under the provisions of Missouri Amendment 3, Marijuana Legalization Initiative (2022) to impose a sales tax at a rate not to exceed three percent on all tangible personal property retail sales of adult use marijuana sold in the City in addition to any and all other tangible personal property retail sales taxes levied by the City; and

WHEREAS, the proposed City sales tax cannot become effective until approved by the voters at a municipal general, primary or special election; and the City wishes to submit the issue to the voters.

NOW, THEREFORE, be it ordained by the Board of Aldermen of the City of SMITHVILLE, as follows:

Section 1. Imposition of City Sales tax. Pursuant to the authority granted by, and subject to, the provisions of Missouri Amendment 3, Marijuana Legalization Initiative (2022) as approved by the voters on November 8, 2022, a sales tax for general revenue purposes is imposed for the privilege of sale at retail of all tangible personal property retail sales of adult use marijuana sold in the City in addition to any and all other tangible personal property retail sales taxes within the city.

Section 2. The rate of the tax shall be three percent (3%).

Section 3. This ordinance shall be submitted to the qualified voters of Smithville, Missouri, for their approval, as required by the provisions of Missouri Amendment 3, Marijuana Legalization Initiative (2022) as approved by the voters on November 8, 2022

at the Municipal election hereby called and to be held in the City on the 4th day of April, 2023. The official ballot to be supplied and used at said election shall be in substantially the following form:

PROPOSITION

Shall the City of Smithville impose a city sales tax of three percent (3%) on all retail sales of adult use marijuana sold within the city?

YES

NO

INSTRUCTIONS TO VOTERS: If you are in favor of the proposition, place an X in the box opposite "YES." If you are opposed to the proposition, place an X in the box opposite "NO."

Section 4. Within ten (10) days after the approval of this ordinance by the qualified voters of Smithville, Missouri, the City Clerk shall forward to the Director of Revenue of the State of Missouri by United States registered mail or certified mail, a certified copy of this ordinance together with certifications of the election returns and accompanied by a map of the City clearly showing the boundaries thereof.

Section 5. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 17th of January 2023.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 1/17/2023

Second Reading: 1/17/2023



Board of Aldermen Request for Action

MEETING DATE: 1/17/2023

DEPARTMENT:

Administration/Finance/Police/Parks/Development

AGENDA ITEM: Bill No. 2973-23, Destruction of Records - 1st Reading

REQUESTED BOARD ACTION:

A motion to approve Bill No. 2973-22, destruction of certain records for 1st reading by title only.

SUMMARY:

The City keeps administrative, fiscal and legal records as required by the State of Missouri. The Secretary of State's Office publishes a records retention manual which establishes minimum retention periods for the administrative, fiscal and legal records created by local governments. Some records are permanent while others must be kept for various lengths of time. When non-permanent records have reached their retention date, the State recommends those records be destroyed by certified shred.

The Administration Department desires the destruction of applications for FY2019 Liquor Licenses, Fireworks Permits, Facility Reservation and Peddlers Permits and the FY2017-FY2019 Employment applications. These documents have met the retention schedule listed in the Missouri Records Manual as outlined in Section 109.200 RSMo.

The Finance Department desires the destruction of FY2019 Dog Tag Applications, FY2020 Meals on Wheels monthly billing information, FY2020 Meals on Wheels discontinued services applications, FY2019 Business License applications, FY2018 Utility Billing Reports and FY2017 Utility Billing Adjustments. These documents have met the retention schedule listed in the Missouri Records Manual as outlined in Section 109.200 RSMo.

PREVIOUS ACTION:

N/A

POLICY ISSUE:

Destroy documents per the records retention schedule published by the Secretary of State's Office.

FINANCIAL CONSIDERATIONS:

N/A

ATTACHMENTS:

- | | |
|---|-----------------------------------|
| <input checked="" 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: | |

AN ORDINANCE AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS

WHEREAS, it has been determined that the applications of the FY2019 Liquor Licenses, Fireworks Permits, Facility Reservation and Peddlers Permits and of the FY2018-FY2019 Employment documents have met the retention schedule listed in the Missouri Records Manual as outlined in Section 109.200 RSMo.; and

WHEREAS, it has been determined that the applications of FY2020 Meals on Wheels monthly billing information, FY2020 Meals on Wheels discontinued services applications, FY2019 Business License applications, FY2018 Utility Billing Reports and FY2017 Utility Billing Adjustments documents have met the minimum retention schedule listed in the Missouri Records Manual as outlined in Section 109.200 RSMo.; and

WHEREAS, it has been determined that the records and documents have no further administrative, legal, fiscal, research or historical value; and

WHEREAS, destruction of said records will allow for easier access to needed records, provide a better environment of records, allow more space for operations and increase storage space, which must be legally retained; and

WHEREAS, the Smithville Board of Aldermen wish to authorize the destruction of said records.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI AS FOLLOWS:

- Section 1. That the Board of Aldermen hereby elects, pursuant to Section 109.200 RSMo., to approve the destruction certain finance and administration documents that have met the requirements of the retention schedule and no longer have value.
- Section 2. The Board of Aldermen hereby directs the City Clerk to find a method of destruction approved by the State of Missouri.
- Section 3. This Ordinance shall take effect and be in full force from and after its passage according to law.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the ____ of February 2023.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 01/17/2023

Second Reading: 02/07/2023



Board of Aldermen Request for Action

MEETING DATE: 1/17/2023

DEPARTMENT: Development

AGENDA ITEM: Resolution 1170, Site Plan Approval – 14991 North Industrial Drive

RECOMMENDED ACTION:

A motion to approve Resolution 1170, to approve the site plan for a new 3,600ft² building at 14991 North Industrial Dr.

SUMMARY:

This would approve the site plan and authorize building permits to be issued for a new industrial building in First Park Industrial Park.

BACKGROUND:

The applicant submitted building plans and a site plan for construction of a new 3,600 ft² building at 14991 North Industrial Drive. After staff and the Fire District reviewed the submission, several changes were recommended. The applicant agreed to those edits, primarily including leaving the existing temporary cul-de-sac in place, adjusting its' entrances and curbing, all with the idea that fire trucks can still turn around in the cul-de-sac as designed. The site plan also included a landscaping plan, which met the city's requirements but will be slightly adjusted to account for keeping the cul-de-sac open. The building materials, colors and design all meet the standards for industrial properties. After review at the January 10, 2023, Planning Commission meeting, the Commission recommended approval of the site plan as amended.

PREVIOUS ACTION:

None

POLICY ISSUE:

Complies with Codes

FINANCIAL CONSIDERATIONS:

None anticipated.

ATTACHMENTS:

- | | |
|--|---|
| <input type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution | <input checked="" type="checkbox"/> Plans |
| <input checked="" type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: Planning Commission meeting may be viewed online. | |

RESOLUTION 1170

**A RESOLUTION AUTHORIZING SITE PLAN APPROVAL FOR
CONSTRUCTION OF A 3,600 FT² INDUSTRIAL BUILDING
AT 14991 NORTH INDUSTRIAL DRIVE**

WHEREAS, the applicant submitted plans for construction of a new building to be located at the north end of Industrial Drive in the First Park Subdivision, and;

WHEREAS, the Planning Commission reviewed the submittal concerning the layout, building materials and colors at its January 10, 2023 meeting and;

WHEREAS, the Planning Commission recommends approval of the site plan at 14991 North Industrial Drive.

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

**THAT THE SITE PLAN APPLICATION FOR A 3,600FT² INDUSTRIAL
BUILDING AT 14991 NORTH INDUSTRIAL DRIVE IS HEREBY
APPROVED.**

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 17th day of January 2023.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

	STAFF REPORT
Date:	1-5-23
Prepared By:	Jack Hendrix
Subject:	14991 N. Industrial Dr. Site Plan Review

Applicant has submitted plans to construct a 3,600 ft² building for a future tenant. This 60x60 building consists of two garage bays with doors on both the Industrial Dr. façade and the rear façade, as well as two windows on the front façade and one window on the south façade, all under a covered portico/porch. Each of the facades includes one ingress/egress door as well. In accordance with the site plan standards for industrial land, the road façade (west) along Industrial Dr. has incorporated more than 50% of the façade with either glass/windows, garage or egress doors, and the entire gable end above the doors will be clad with Hardie panels, which are a concrete based siding material. The remainder of the building will consist of 26-gauge metal (purlins and beams are on 24" centers vs. the standard 48" centers) which is of comparable strength as the usual 24 gauge metal with 48" purlins and beams. The proposed colors are shades of pewter, which meet the site plan standards as well.

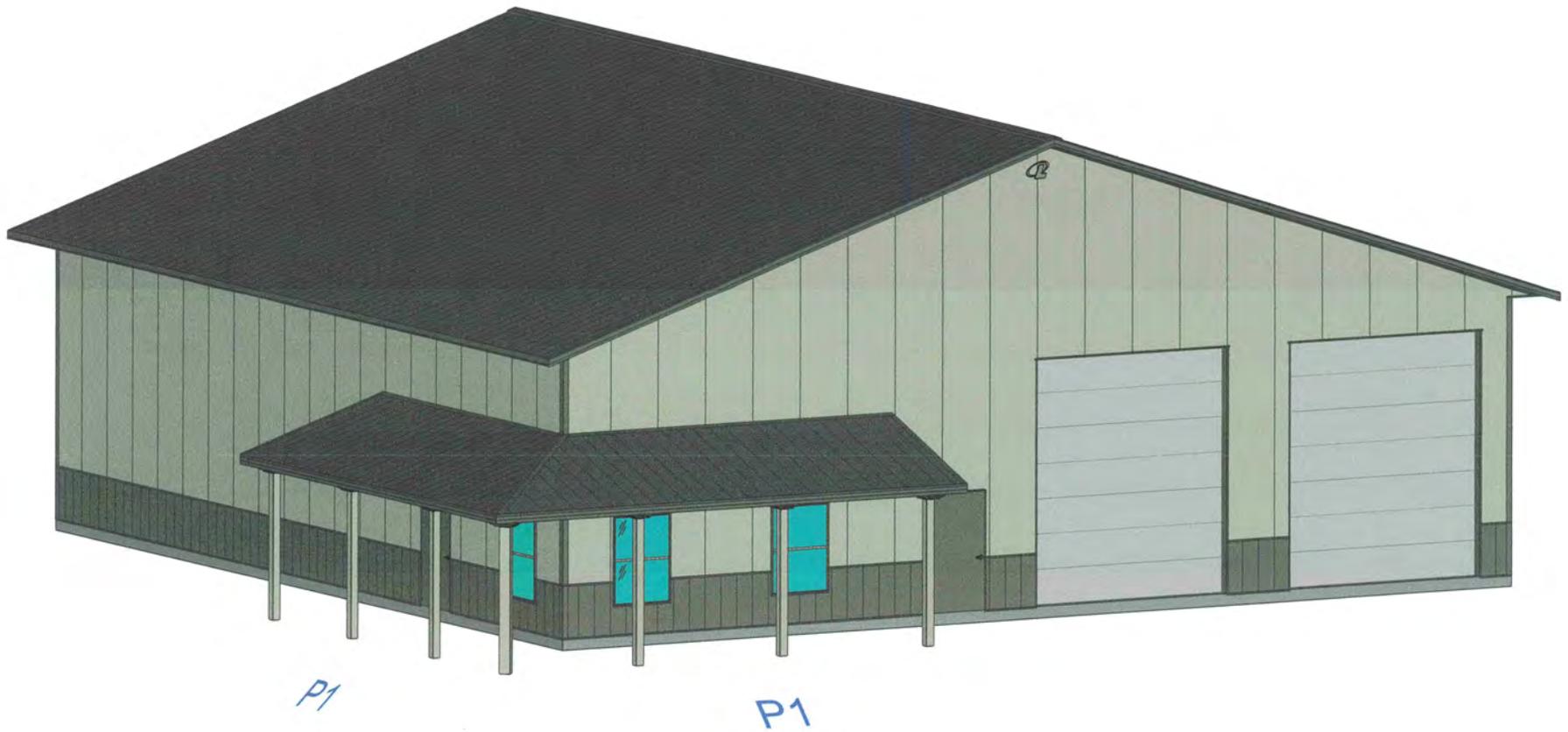
The site plan layout proposed by the applicant was reviewed by both city staff and the fire district. Staff concern was that the submittal included removing much of the pavement associated with the existing temporary turnaround. Removing this pavement would make fire apparatus' ability to turnaround without backing up impossible. After discussion, the applicant agreed to curb the south entrance as shown on its' plans, but to leave the turnaround pavement as-is for fire apparatus safety. This would also require that the landscape plan be adjusted by moving the proposed trees and shrubs located in the deleted island to be split between the northern edge of the property and the southwest curbed island.

Staff recommends approval of the proposed building in accordance with the staff revisions to keep the cul de sac intact, including redistributing the landscaping from the deleted island area into the north and south areas. This approval is solely for the site plan portion of the project. The building construction plans will be subject to separate City and Fire District review and approval.

/s/

Jack Hendrix

Development Director



DEALER INFO.
 SherGain LLC
 12615 NW 145TH St
 Platte City, MO 64079-9623

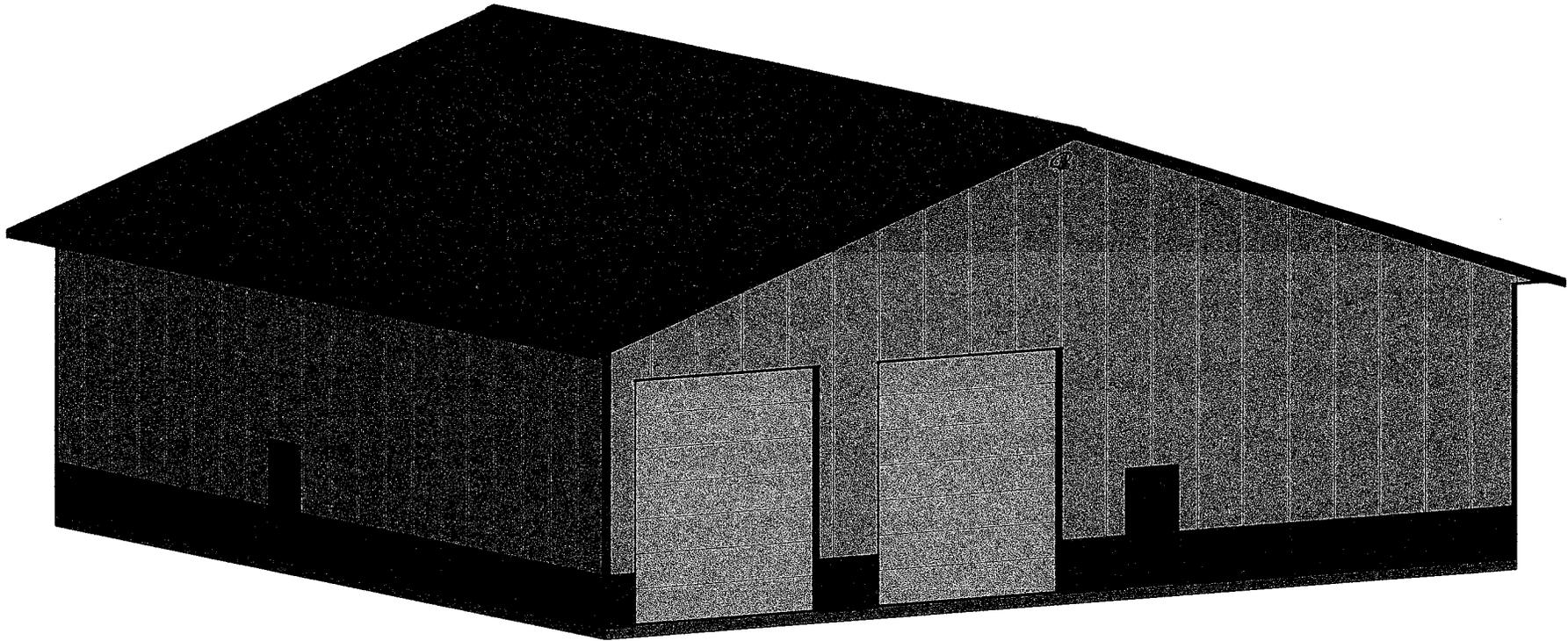
CUSTOMER INFO.
 Chris & Michelle Farage
 9309 N E Paw Paw Drive,
 Kansas City, MO 64157

BUILDING DESCRIPTION
 60'-0" x 60'-1" x 16'-0"
 Uni-Frame Not Embedded
 QP092222

Customer Approval

 (Initials)
 DATE:

PROJ: R62A-15385-06-02
PROPOSAL DRAWINGS ONLY
Not Intended for Construction Purposes
 The information presented in this drawing is based on a preliminary design using the input provided. The final design is subject to Lester Engineering review.
 * NOT TO SCALE *



DEALER INFO.

SherGain LLC
 12615 NW 145TH St
 Platte City, MO 64079-9623

CUSTOMER INFO.

Chris & Michelle Farage
 9309 N E Paw Paw Drive,
 Kansas City, MO 64157

BUILDING DESCRIPTION

60'-0" x 60'-1" x 16'-0"
 Uni-Frame Not Embedded
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Customer Approval

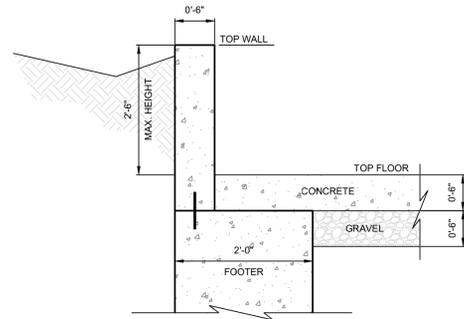
(Initials)

DATE:

**PROJ: R62A-15385-06-02
 PROPOSAL DRAWINGS ONLY**

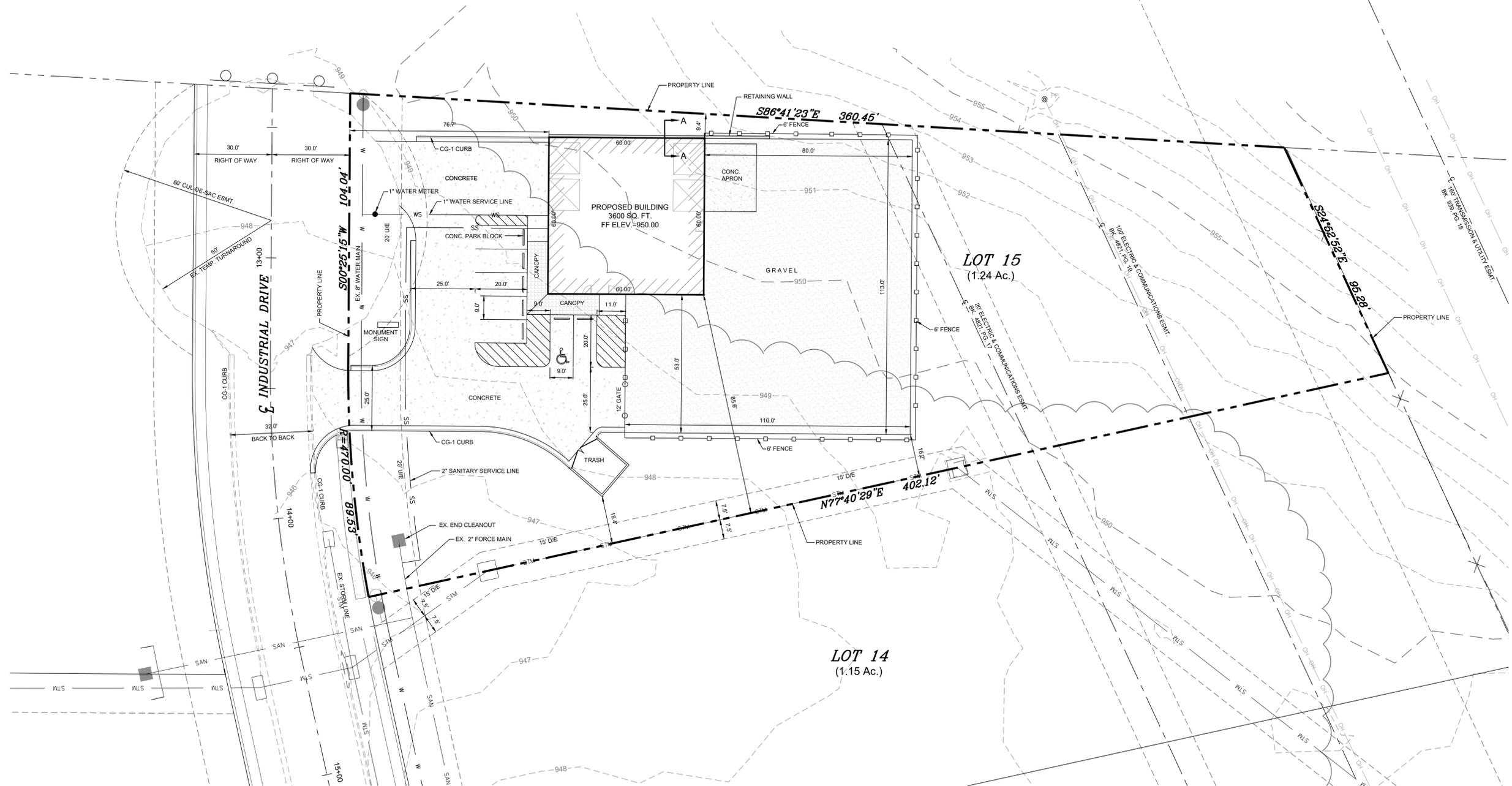
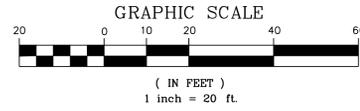
Not Intended for Construction Purposes
 The information presented in this drawing is based on a preliminary design using the input provided. The final design is subject to Lester Engineering review.

* NOT TO SCALE *



SECTION A-A
NOT TO SCALE

NOTE:
ISLANDS SHALL BE STRIPED AS SHOWN WITH
MARKING 4" YELLOW.



NO.	DATE	DESCRIPTION	REVISIONS	CHECKED BY
1	1/1/23	REVISE ENTRANCE		JKR
2				SMW
3				
4				
5				
6				
7				

**LOT 15, FIRST PARK
2ND PLAT
SITE DEVELOPMENT PLANS
GENERAL LAYOUT**

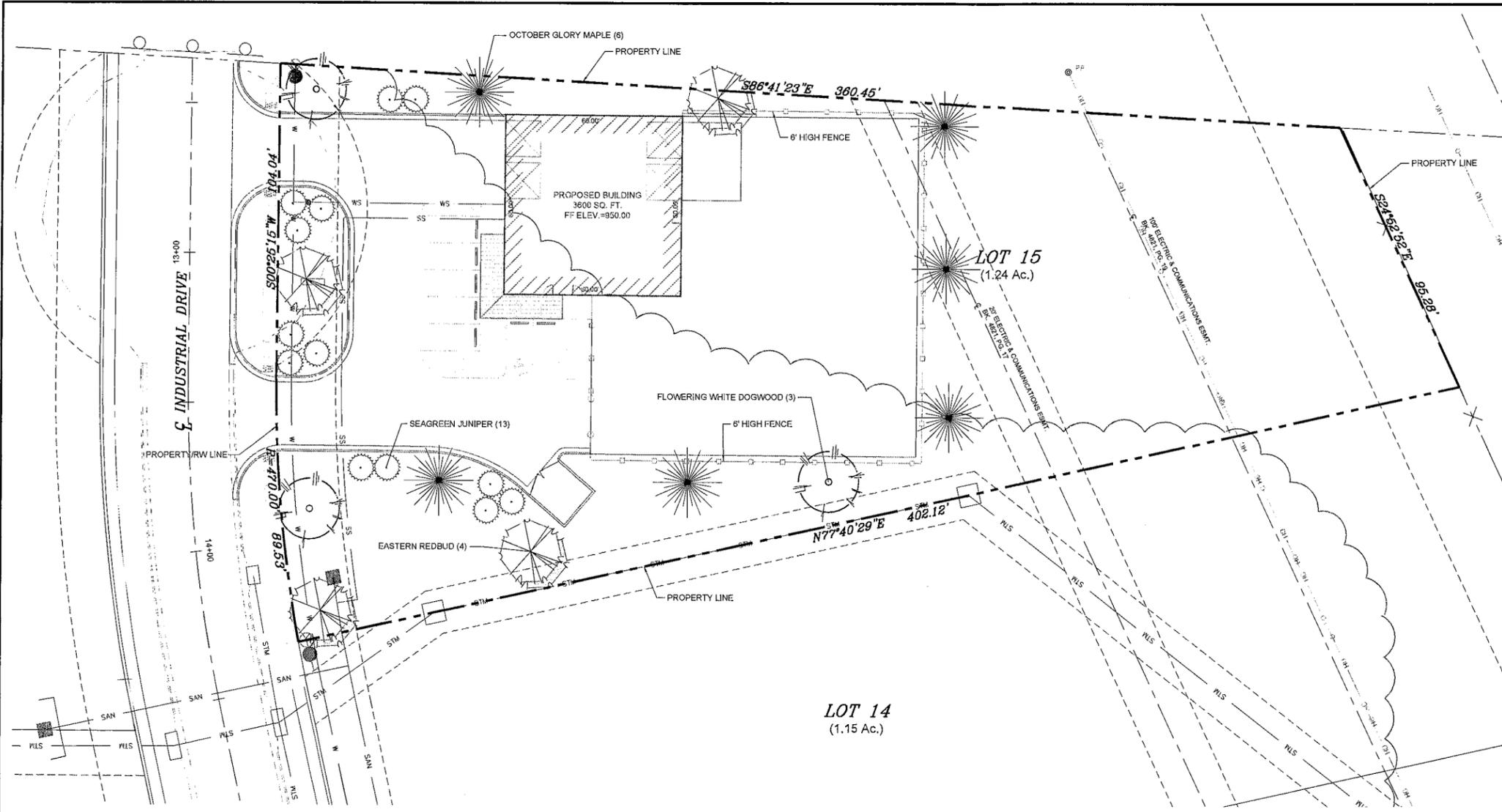
ENGINEER'S SEAL

R.L. Buford & Associates Engineering, LLC
LAND SURVEYING - CIVIL ENGINEERS - DEVELOPMENT CONSULTANTS
R.L. BUFORD & ASSOCIATES, LLC
P.O. BOX 14889, PARKVILLE, MD 64152 (816) 741-8192

SEC. - MAP - REG. COUNTY JOB NO.
SEC. - MAP - REG. COUNTY JOB NO.
PLAN DATE TRG CHECKED BY DRAWN BY
DEC. 2022 SMW JKR

FOR
WILLIAM T. MANN TRUST

SHEET NO.
2 OF 7



LANDSCAPE NOTES:

CONTRACTOR REQUIRED TO LOCATE ALL UTILITIES BEFORE INSTALLATION TO BEGIN.

Contractor shall verify all landscape material quantities and shall report any discrepancies to the Landscape Architect prior to installation.

No plant material substitutions are allowed without Landscape Architect or Owners approval.

Contractor shall guarantee all landscape work and plant material for a period of one year from date of acceptance of the work by the Owner. Any plant material which dies during the one year guarantee period shall be replaced by the contractor during normal planting seasons.

Contractor shall be responsible for maintenance of the plants until completion of the job and acceptance by the Owner.

Landscape contractor shall provide an automatic irrigation for all turf and planting areas within the property. Irrigation system shall have it's own separate meter and valve.

All plant material shall be specimen quality stock as determined in the "American Standards For Nursery Stock" published by The American Association of Nurserymen, free of plant diseases and pest, of typical growth of the species and having a healthy, normal root system.

Sizes indicated on the plant list are the minimum, acceptable size. In no case will sizes less than specified be accepted.

All shrub beds within lawn areas to receive a manicured edge.

All sod areas to be fertilized & sodded with a Turf-Type-Tall Fescue seed blend.

All seed areas shall be hydro-seeded.

REVISIONS		NO.	DATE	DESCRIPTION	CHECKED BY:
1					
2					
3					
4					
5					
6					
7					

**LOT 15, FIRST PARK
2ND PLAT
SITE DEVELOPMENT PLANS
LANDSCAPE PLAN**

ENGINEER'S SEAL

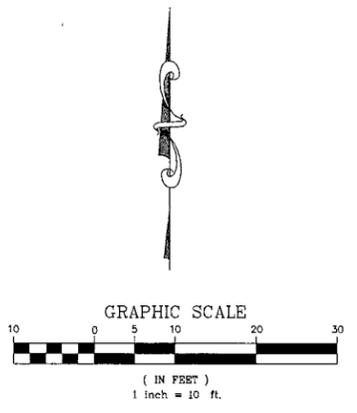
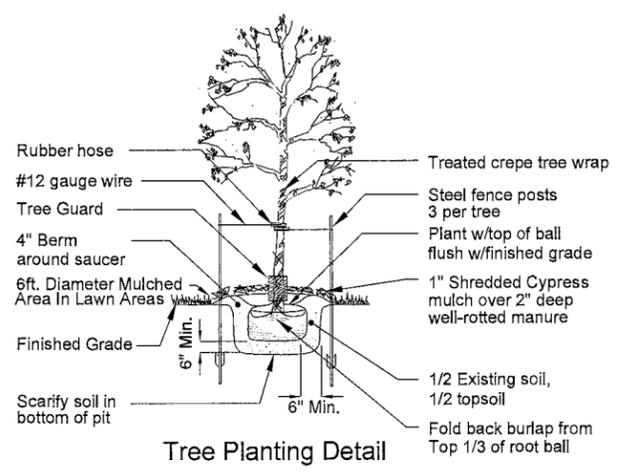
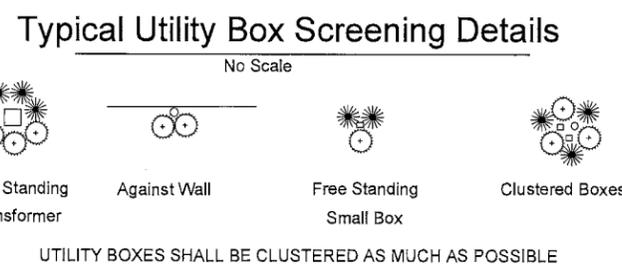
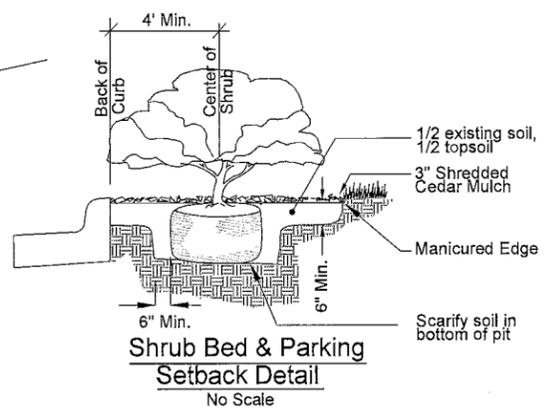
R.L. Buford & Associates Engineering, LLC
LAND SURVEYING CIVIL ENGINEERING ENVIRONMENTAL CONSULTANTS
R.L. BUFORD & ASSOCIATES, LLC
P.O. BOX 14069, PARKVILLE, MD 64152 (410) 741-8152
COUNTY CLAY
SEC-TWP-RGE L-22289
PLAN DATE DEC. 2022
CHECKED BY SAN
DRAWN BY SAN
JOB NO. L-22289
FOR WILLIAM T. MANN TRUST

Tree List

Symbol	Quantity	Common Name	Botanical Name	Size	Condition	Spacing
	6	October Glory Maple	Acer Rubrum 'October Glory'	As Shown	2.5" cal	BB
	4	Eastern Redbud	Cercis Canadensis	As Shown	2.5" cal	BB
	3	Flowering White Dogwood	Cornus Florida	As Shown	2.5" cal	BB

Shrub List

Symbol	Quantity	Common Name	Botanical Name	Size	Condition	Spacing
	13	Seagreen Juniper	Juniperus Chinensis 'Seagreen'	3 gal.	Cont.	As Shown



LANDSCAPE DATA:
INDUSTRIAL DRIVE 194'
REQUIRED
1 ORNAMENTAL / 75' STREET FRONTAGE = 3
PROVIDED 3 ORNAMENTAL FLOWERING TREES

BUILDING BUFFER ZONE
REQUIRED
1 DECIDUOUS TREE / 60 LF BUILDING BUFFER ZONE
1 ORNAMENTAL FLOWERING TREE / 70 LF BUILDING BUFFER ZONE
3 SHRUBS OR LOW STATURE EVERGREEN BUSHES / 75 LF BUILDING BUFFER ZONE

PROVIDED
3 DECIDUOUS TREES
1 ORNAMENTAL FLOWERING TREES
3 SHRUBS

PARKING BUFFER ZONE
REQUIRED
1 DECIDUOUS OR 1 ORNAMENTAL FLOWERING TREE / 60 LF PARKING BUFFER ZONE
1 SHRUB OR LOW STATURE EVERGREEN / 50 LF PARKING BUFFER ZONE

PROVIDED
3 DECIDUOUS TREES
3 ORNAMENTAL FLOWERING TREES
10 SHRUBS



Board of Aldermen Request for Action

MEETING DATE: 1/17/2023

DEPARTMENT: Development

AGENDA ITEM: RES 1171 Second Creek Meadows Preliminary Plat

REQUESTED BOARD ACTION:

A motion to approve Resolution 1171 to approve the Preliminary Plat for a new residential subdivision to be called Second Creek Meadows with 53 Single Family lots and 17 multifamily lots to include 87 dwelling units.

SUMMARY:

IF, and only if Bill No. 2971-22 rezoning the subject land is approved earlier on this agenda, an approval of this plat would authorize the developer to begin construction plans for the first phase of the subdivision to be presented to the Board of Aldermen for approval if it complies with this Preliminary Plat, and authorizes the Mayor to enter into a development agreement with the applicant.

BACKGROUND:

This matter was submitted to the Planning Commission for its' December meeting, but as a result of delays in the final review of a Traffic Impact Study, the Preliminary Plat was postponed to the January Planning Commission hearing. Any plat approval is subject to the rezoning of the land, which is presented to the Board for second reading at this January 17, 2023, meeting as Bill No. 2971-22. If that bill passes second reading, then this preliminary plat may be approved. The plat itself would create 53 single family lots and 17 lots for two-family townhomes to total 87 new dwelling units. The TIS and a Stormwater Study were submitted and reviewed and approved by the City's engineers. Final design of any traffic or stormwater related items would be handled at the Final Plat stage. The development also includes several trails and open spaces for the private use of the development, as well as development of the MetroGreen trail that will eventually connect Platte County to Smithville Lake. It also includes construction of, or financial assistance with construction of the new 8' trail along Second Creek Bridge Road that the City is building in 2026 with grant funding. All of the public and private improvements are scheduled and included in the attached Development Agreement. If approved the developer would be able to begin the design of the Construction plans for the first Final Plat. Each Final Plat to create sellable lots must also be approved by the Board of Aldermen after the construction plans are final.

PREVIOUS ACTION:

Bill No. 2971-22 was approved for First Reading in December to change the zoning on the property and is on tonight's agenda for second reading.

POLICY ISSUE:

Complies with the Comprehensive Plan as well as city ordinances.

FINANCIAL CONSIDERATIONS:

The project will assist in funding for a portion of the Second Creek Trail, fully construct some portions of the trail, both reduce the City's obligations on that project, as well as will provide Park funding with each Final Plat approval in accordance with the development agreement.

ATTACHMENTS:

- Ordinance
- Resolution
- Staff Report
- Other: [The Planning Commission meeting, the Second Creek Meadows Storm Water Study and the Second Creek Meadows Traffic Impact Study may be viewed online.](#)
- Contract
- Plans
- Minutes

RESOLUTION 1171

A RESOLUTION APPROVING A PRELIMINARY PLAT FOR A 70 LOT RESIDENTIAL SUBDIVISION TO BE CALLED SECOND CREEK MEADOWS

WHEREAS, the applicant submitted a request to rezone and to preliminarily plat a 32-acre tract lying north of Second Creek Bridge Road and east of Lowman Road, and;

WHEREAS, the rezoning request was reviewed at the December Planning Commission and recommended approval to the Board of Aldermen, and;

WHEREAS, the Board of Alderman approved the zoning for first reading in December, and second reading at this January 17, 2023 meeting, and;

WHEREAS, with zoning in place, the applicants request for Preliminary Plat approval would allow a new subdivision to be constructed in four phases. The applicant provided both a Traffic Impact Study, along with a Stormwater Study. The applicant and staff negotiated a Development Agreement that address all impacts from the TIS, Stormwater Study and the Parks Dedication requirements, including construction of or payment of funds for a portion of the new 8' trail along Second Creek Bridge Road. After public hearing, the Planning Commission recommended approval of the Preliminary Plat.

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

THAT THE PRELIMINARY PLAT OF SECOND CREEK MEADOWS SUBDIVISION IS HEREBY APPROVED, CONDITIONED UPON EXECUTION OF THE ATTACHED DEVELOPMENT AGREEMENT.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 17th day of January 2023.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



STAFF REPORT
January 5, 2023
Platting of Parcel Id # # 05-504-00-01-010.01

Application for a Plat Approval

Code Sections:

425.275.A.3 Multiphase Plat Approval

Property Information:

Address: Second Creek and Lowman Rd.
Owner: LMW Investments
Current Zoning: A-1
Proposed Zoning: R-1B and R-3

Public Notice Dates:

1st Publication in Newspaper: November 24, 2022
Letters to Property Owners w/in 185': November 28, 2022

GENERAL DESCRIPTION:

The applicant obtained initial zoning approval to rezone approximately 32.04 acres +/- from A-1 to R-1B and R-3. The rezoning would accommodate 53 single family lots on the high ground mainly on the west of the parcel and 17 multifamily lots to accommodate up to 34 dwelling units in two family townhomes in the area immediately adjacent to the floodplain and floodway of Smith's Fork of the Little Platte River. The development area includes both areas of the future Metro Green Trail along the river, as well as the proposed multiuse trail along the north side of Second Creek Bridge Road. Staff and developer have reached a proposed development agreement to share costs for the new trail along Second Creek Bridge Road based upon the timing of the City's grant funding, as well as addresses the timing of improvements to the Metro Green trail area and the internal trail system proposed in the development.

GUIDELINES FOR REVIEW – PRELIMINARY PLATS *See 425.275.A.3*

Guidelines For Review. The Planning and Zoning Commission shall consider the following criteria in making a recommendation on the preliminary plat:

a. The plat conforms to these regulations and the applicable provisions of Chapter 400, Zoning Regulations, and other land use regulations.

The plat conforms to the subdivision zoning regulations of the City.

b. The plat represents an overall development pattern that is consistent with the goals and policies of the Comprehensive Plan.

The plat is consistent with the Comprehensive Plan's intended expansion of the downtown district with access to nearby residential areas.

c. The development shall be laid out in such a way as to result in:

(1) Good natural surface drainage to a storm sewer or a natural watercourse.

The subdivision is generally uphill from Smith's Fork of the Little Platte River, and its' drainage basin. The layout is such that drainage is maintained in its' existing patterns as much as possible through storm sewers that bypass adjacent properties.

(2) A minimum amount of grading on both cut or fill and preservation of good trees and other desirable natural growth.

The area is generally a farm field with limited trees or other natural growth. There will be limited grading other than adjusting grades out of the floodplain to allow a portion of the lots to be developed.

(3) A good grade relationship with the abutting streets, preferably somewhat above the street.

Yes, to the extent possible, lots are generally above the adjacent street which will used for access. Existing streets that abut the new lots will not be accessible from the lots, only through new streets.

(4) Adequate lot width for the type or size of dwellings contemplated, including adequate side yards for light, air, access and privacy.

Yes, the lots widths meet the standards in the zoning code for the proposed districts, including all setbacks.

(5) Adequate lot depth for outdoor living space.

The lots meet the minimum sizes, and none exceed the 2.5 to 1 length to width limit.

(6) Generally regular lot shapes, avoiding acute angles.

To the extent practicable with curved streets and a cul de sac, the lots are generally regular. Lot 5 is the only lot with significant acute angles, but it was increased in size to accommodate development within the required setbacks.

(7) Adequate building lots that avoid excessive grading, footings or foundation walls.

The amount of grading is not excessive in any area so footings and foundation walls will be within the normal range.

d. The plat contains lot and land subdivision layout that is consistent with good land planning and site engineering design principles.

The plat is laid out following standard design principles.

e. The location, spacing and design of proposed streets, curb cuts and intersections are consistent with good traffic engineering design principles.

The plat contains 87 potential dwelling units with two separate access roads and generally good spacing from existing intersections.

f. The plat is served or will be served at the time of development with all necessary public utilities and facilities, including, but not limited to, water, sewer, gas, electric and telephone service, schools, parks, recreation and open space and libraries in the form of a development agreement.

The developer and city have proposed a development agreement for both adjacent existing street improvements and park dedication improvements as required by the code.

g. The plat shall comply with the stormwater regulations of the City and all applicable storm drainage and floodplain regulations to ensure the public health and safety of future residents of the subdivision and upstream and downstream properties and residents. The Commission shall expressly find that the amount of off-site stormwater runoff after development will be no greater than the amount of off-site stormwater runoff before development.

The proposed layout and detention areas will not increase the amount of off-site stormwater runoff and is in accordance with engineering standards. The final design of all stormwater systems will be subject to final plan review and approval in accordance with the Final Plat procedures.

h. Each lot in the plat of a residential development has adequate and safe access to/from a local street.

Yes.

i. The plat is located in an area of the City that is appropriate for current development activity; it will not contribute to sprawl nor to the need for inefficient extensions and expansions of public facilities, utilities and services.

The location is located such that it will actually reduce sprawl and limits any extensions and expansions of existing public facilities.

j. If located in an area proposed for annexation to the City, the area has been annexed prior to, or will be annexed simultaneously with plat approval.

n/a

k. The applicant agrees to dedicate land, right-of-way and easements, as may be determined to be needed, to effectuate the purposes of these regulations and the standards and requirements incorporated herein.

The development is bound by a development agreement that addresses all dedication requirements.

l. All applicable submission requirements have been satisfied in a timely manner.
m. The applicant agrees, in the form of a development agreement, to provide additional improvements, which may include any necessary upgrades to adjacent or nearby existing roads and other facilities to current standards and shall include dedication of adequate rights-of-way to meet the needs of the City's transportation plans.

Yes.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Preliminary Plat conditioned upon meeting the requirements of the City's Engineer letters dated January 3 and 4, 2023.

Respectfully Submitted,

 /s/ Jack Hendrix /s/
Director of Development

DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is entered into this ____ day of _____, 2016, by and between **KANSAS CITY PROPERTIES & INVESTMENTS, LLC**, ("Developer") **AND/OR LMW INVESTMENTS, LLC** ("Owner") and **THE CITY OF SMITHVILLE, MISSOURI**, a Missouri Corporation ("City") as follows:

WHEREAS, Developer plans on developing its proposed subdivision known as Second Creek Meadows located generally north of Second Creek Bridge Road and east of Lowman Road and being proposed to contain 53 single-family zoned residential lots and 17 multi-family zoned lots containing 34 dwelling units for a total of 87 dwelling units; and

WHEREAS, the City will make certain requirements for off and on site improvements if said land is developed as a large residential subdivision; and

WHEREAS, it is in the best interest of both parties to enter into an agreement as to what improvements and obligations under the city's subdivision code will be required of Developer; and

WHEREAS, this Agreement is necessary to provide for the safety, health and general welfare of the public and to provide for the orderly development of City.

NOW, THEREFORE, in consideration of the foregoing recitals and other valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. The terms of this agreement apply to the following property and all portions thereof to be in a subdivision called Second Creek Meadows, the legal description of which is set forth on the Preliminary Plat thereof as Exhibit A attached hereto.

2. It is recognized that the development will require extension of waterlines from Second Creek Bridge Road and Lowman Road to create a loop that will improve fire flows and waterline pressures for the development and the surrounding properties' and, therefore the parties agree that the Developer will, at their sole cost and expense, construct all such waterlines required for the subdivision.

3. That the City and the Developer recognize the need for certain off-site improvements to the adjacent roads as required in the subdivision code and as a direct result of the subdivision of land into the proposed subdivision. The following road improvements shall be required of the Developer:

a. Currently, the City's Parks Master Plan and Comprehensive Plan include an 8' wide concrete trail along the existing street right of way of Second Creek Bridge Rd. The City has been awarded grant funds to design and construct an 8' trail along the north side of Second Creek Bridge Road from Wright Valley Road, east to 169 Hwy, which includes two portions of the subject property, but this work will not occur until 2026 or 2027 at the earliest. Ordinarily the subdivision code would require standard 6' sidewalks to be constructed on the north side of Second Creek Bridge Road, along with curb, gutter and stormwater improvements for the street. In order to avoid duplication or removal and upgrade of sidewalks when the City's trail is installed in 2027, the

developer shall install the 8' trail along Second Creek Bridge Rd. as and when the Phase I development occurs at the intersection of the new Creekside Ct. intersection. The trail crossing at Creekside Ct. shall include curbs and ADA compliant crossing, along with connections to future 5' wide sidewalks along both sides of Creekside Ct. Given the grade relation between Second Creek Bridge Road and the property north of said street, the required construction of curbs and gutters in the area adjacent to Phase I is not desirable. In fact, adding curbs in this area would necessarily require duplicated drainage systems of both above and below grade storm lines. Accordingly, the developer shall not be required to construct curb and gutter in the Phase I adjacent right of way.

b. The existing street right of way of both Lowman Road and Second Creek Bridge Road in the area(s) adjacent to Phase III as shown on the preliminary plat are also subject to curb, gutter and sidewalk improvements when developed. For the right of way of Lowman Road, the developer shall be required to install curb, gutter and storm infrastructure at the time of construction as required based upon the design as approved by the city with the final plat. The required 6' sidewalks along Lowman Road shall be the responsibility of the lot owners at the time of development of each lot. As for improvements along Second Creek Bridge Road adjacent to Phase III, the City and Developer anticipate that the construction of the 8' trail will be close to the development of Phase III. In order to avoid disruption and confusion over responsibility of construction, the parties agree that if developer will dedicate a pedestrian easement of not less than 10' in width immediately north of the existing

Second Creek Bridge Road right of way to lessen the need for stormwater infrastructure, and pay 50% of the total cost of construction of both any required right of way improvements and the 8' trail, the developer will have no further obligations to construct the required subdivision improvements along Second Creek Bridge Road that is adjacent to Phase III of the subdivision as shown on the preliminary plat. It is also agreed that this 10' easement area shall be included in the Parkland dedication calculation requirements. The parties agree that when the city lets the trail project for bid, the cost of the construction of this portion of the work, which is subject to prevailing wage, will be the basis of measurement of the Developer's 50% obligation. Once the developer's payment obligation amount has been identified, such payment will be required prior to recording the final plat for the Phase III or Phase IV. It is also further understood that this obligation is and shall be considered a covenant that runs with the land of the proposed development described in Paragraph 1 of this Agreement and shall be binding and inure to the benefit of the parties hereto and their successors and assigns and on any future and subsequent purchasers.

4. The parties agree that the development will be required to design and construct all necessary infrastructure required to meet the then existing city standards for stormwater control at its' own cost and expense. Such construction will be in accordance with an approved stormwater study.

5. The parties agree that the development will be required to design and construct all necessary infrastructure required to meet the then existing city standards

for gravity-flow sanitary sewers throughout the subdivision and drain into the existing interceptor line that runs through the property.

6. The parties agree that the Parkland dedication requirements of the city code shall be calculated as follows:

a. The development proposes 87 dwelling units which will result in 4.959 acres (216,014 ft²) of parkland in accordance with the subdivision formula. (87 d.u. x 2.85 census density x .02 acres per 100 = 4.959) and the development proposes 13,500ft² of fully creditable Comprehensive Plan trails along the east edge of the development, 6,394ft² of pedestrian easement along the north side of Second Creek Bridge Road adjacent to Phase III, 92,305.44ft² of private use amenities (calculated at 50% of proposed area per code) for a total credited amount of land dedication of 112,199.44ft². This dedication amount represents 52% of the required parkland dedications. The development is then obligated to provide payment in lieu of dedications in the amount of \$300.00 per dwelling unit. Such funds shall be payable prior to recording the final plat for each such phase of the development. *E.g. Phase I includes 39 dwelling units (17 x 2 + 5) so will required a park fee of \$11,700.00 prior to recording said plat.*

The parties further agree that the park amenities described in the preliminary plat are subject to Section 425.230.B. In accordance with that section, and Section 425.300 the trails shown on the preliminary plat shall be constructed prior to recording the final plat for the second phase of the development. Each trail section shall be constructed prior to the second phase of construction and may be installed as gravel in

all areas except the access trails between lots 109 and 110 as well as 46 and 47 shall be concrete. The access sidewalk between 46 and 47 may be constructed during Phase IV and not with the Phase II construction. However, the area of the trails located in the public trail easement shall be further improved to be not less than 10' wide with concrete with an adjacent 4' gravel/limestone path at the same grade. Such further improvement to the public trail area shall be constructed prior to the final plat for the Phase IV being recorded and shall use the original gravel trail as the base for such concrete construction.

7. The parties agree that except as specifically noted herein, execution of this Agreement in no way constitutes a waiver of any requirements of applicable City Ordinances with which Developer must comply and does not in any way constitute prior approval of any future proposal for development.

8. All work agreed to be performed by Developer in this Agreement shall be done only after receiving written notice from City to proceed. The notice to proceed shall not be given by the City until final construction plans have been approved by the city. The recording of any final plat shall only occur in accordance with city ordinances.

9. In the event of default in this Agreement by either party, it is agreed that either party shall be entitled to equitable relief to require performance by the other party as well as for any damages incurred by the breach, including reasonable attorney fees.

10. This Agreement shall constitute the complete agreement between the parties and any modification hereof shall be in writing subject to the approval of both

On the ____ day of _____, 2022, before me, the undersigned Notary Public, personally appeared Damien Boley, to me known, and who, being by me duly sworn, did say that he is the Mayor of Smithville, Missouri, and said instrument was signed and sealed on behalf of said City by authority of its Board of Aldermen and said Mayor acknowledges said instrument to be the free act and deed of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at my office in Clay County, Missouri, on the day and year last written above.

Notary Public

My Commission Expires:

STATE OF MISSOURI)
) ss.
COUNTY OF CLAY)

On this ____ day of _____, 2021, before me, the undersigned Notary Public, personally appeared _____, to me known, and who, being by me duly sworn, did say that he/she is the managing Member of Kansas City Properties & Investments, LLC, and said instrument was signed and sealed on behalf of said Kansas City Properties & Investments, LLC by authority of its Board and he/she acknowledges said instrument to be the free act and deed of said Kansas City Properties & Investments, LLC.

Kansas City Properties & Investments, LLC

Managing Member

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at my office in Clay County, Missouri, on the day and year last written above.

Notary Public

My Commission Expires:

PRELIMINARY PLAT FOR SECOND CREEK MEADOWS SE 1/4, SECTION 22, T-53N, R-33W SMITHVILLE, CLAY COUNTY, MISSOURI

PROPERTY DESCRIPTION:

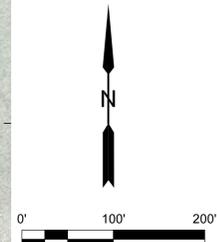
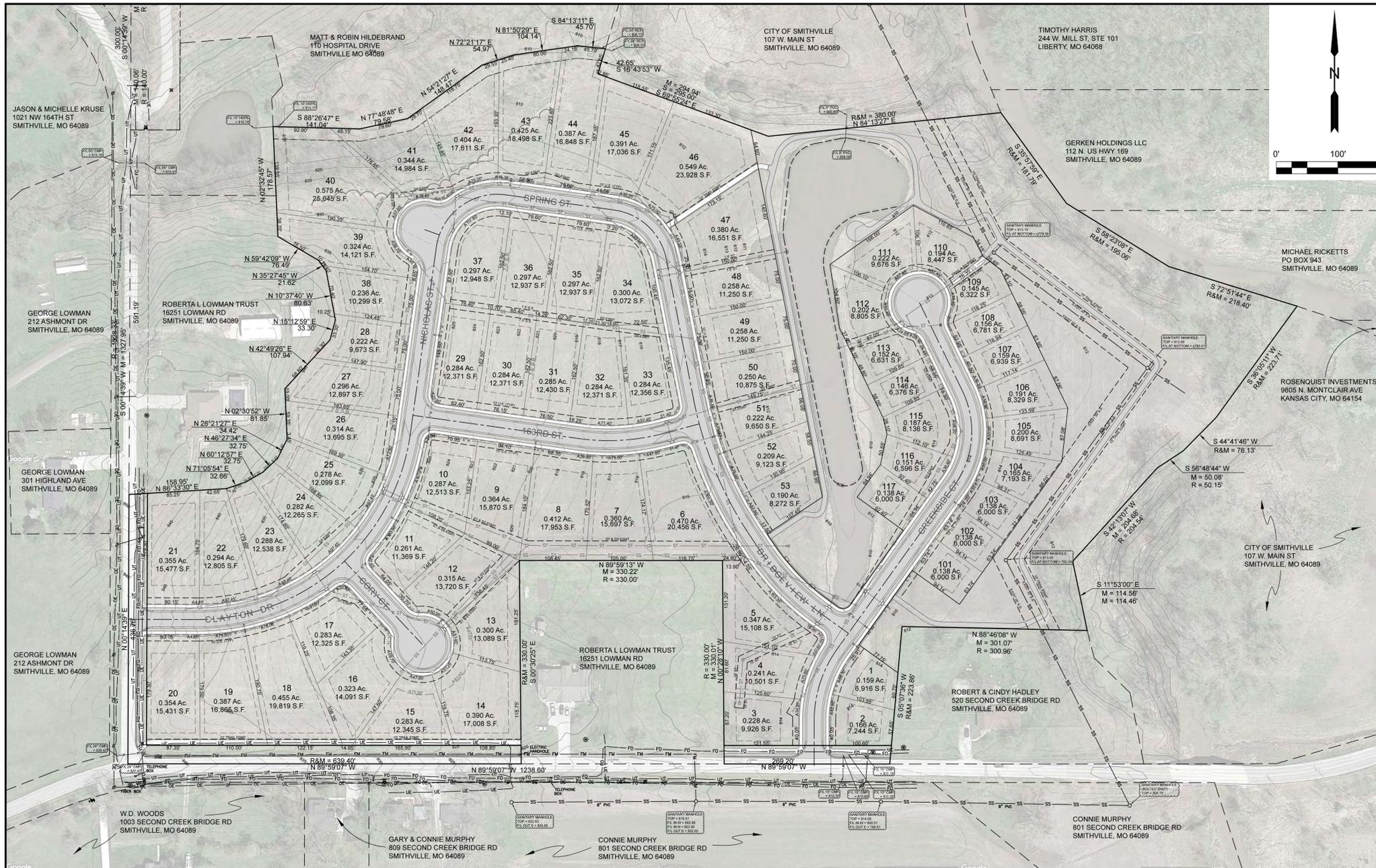
Beginning at the Center of Section 22, Township 53 North, Range 33 West, Smithville, Clay County, Missouri: thence along the West line of the Northeast Quarter South 00 degrees 14 minutes 39 seconds West, 891.19 feet to the Point of Beginning; thence departing from said line North 86 degrees 33 minutes 30 seconds East, 158.95 feet; thence North 71 degrees 05 minutes 54 seconds East, 32.66 feet; thence North 60 degrees 12 minutes 57 seconds East, 32.75 feet; thence North 46 degrees 27 minutes 34 seconds East, 32.75 feet; thence North 26 degrees 21 minutes 27 seconds East, 34.42 feet; thence North 02 degrees 30 minutes 52 seconds West, 81.85 feet; thence North 42 degrees 49 minutes 26 seconds East, 107.94 feet; thence North 15 degrees 12 minutes 59 seconds East, 33.30 feet; thence North 10 degrees 37 minutes 40 seconds West, 80.63 feet; thence North 35 degrees 27 minutes 45 seconds West, 21.62 feet; thence North 59 degrees 42 minutes 09 seconds West, 76.49 feet; thence North 02 degrees 32 minutes 45 seconds West, 178.55 feet; thence South 88 degrees 26 minutes 47 seconds East, 141.04 feet; thence North 77 degrees 48 minutes 48 seconds East, 79.58 feet; thence North 54 degrees 21 minutes 27 seconds East, 148.47 feet; thence North 72 degrees 21 minutes 17 seconds East, 54.97 feet; thence North 81 degrees 50 minutes 29 seconds East, 104.14 feet; thence South 84 degrees 13 minutes 11 seconds East, 45.70 feet; thence South 16 degrees 43 minutes 53 seconds West, 42.65 feet; thence South 69 degrees 55 minutes 24 seconds East, 294.94 feet; thence North 84 degrees 13 minutes 27 seconds East, 380.00 feet; thence South 35 degrees 57 minutes 59 seconds East, 181.79 feet; thence South 58 degrees 23 minutes 08 seconds East, 195.06 feet; thence South 72 degrees 51 minutes 44 seconds East, 218.40 feet; thence South 36 degrees 05 minutes 11 seconds West, 223.71 feet; thence South 44 degrees 41 minutes 46 seconds West, 76.13 feet; thence South 56 degrees 48 minutes 44 seconds West, 50.08 feet; thence South 42 degrees 13 minutes 07 seconds West, 204.68 feet; thence South 11 degrees 53 minutes 00 seconds East, 114.56 feet; thence North 88 degrees 46 minutes 08 seconds West, 301.07 feet; thence South 05 degrees 07 minutes 36 seconds West, 223.86 feet; thence North 89 degrees 59 minutes 07 seconds West, 269.20 feet; thence North 89 degrees 59 minutes 13 seconds West, 330.22 feet; thence South 00 degrees 30 minutes 25 seconds East, 330.00 feet; thence North 89 degrees 59 minutes 07 seconds West, 639.40 feet to the West Quarter Corner of the Southeast Quarter North 00 degrees 14 minutes 39 seconds East, 436.76 feet to the Point of Beginning

The above-described tract of land contains 32.04 acres, more or less, and is subject to all recorded and unrecorded easements, restrictions, and right-of-ways.

PROPERTY OWNER:
LMW INVESTMENTS, LLC
CLAYTON COX
215 DOUBLE TREE LANE
SMITHVILLE, MO 64089
816-352-2961

DEVELOPER:
KANSAS CITY PROPERTIES & INVESTMENTS LLC
SHANE CREES
P.O. BOX 475
SMITHVILLE, MO 64089
(816) 719-9327

ENGINEER:
SCHULTE ENGINEERING
DOUG SCHULTE, P.E.
21 GATYES DR.
SMITHVILLE, MO 64079
816-260-3328



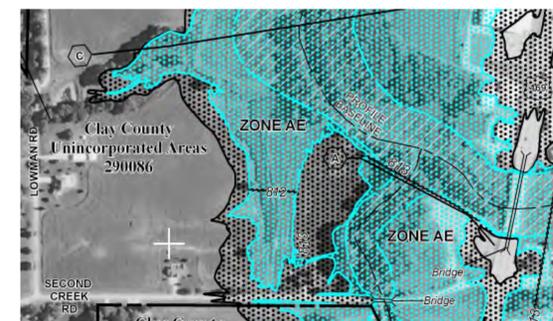
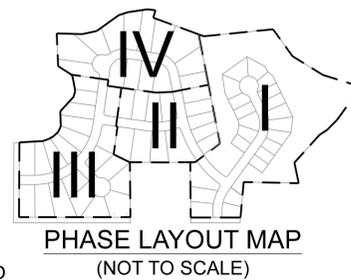
- NOTES FOR SINGLE FAMILY LOTS 1 THRU 53:**
- 1) PROPOSED ZONING IS "R-1B" SINGLE FAMILY DWELLING DISTRICT.
 - 2) MINIMUM LOT AREA IS 7,500 SF.
 - 3) MINIMUM LOT WIDTH IS 75 FT.
 - 4) MAXIMUM LOT COVERAGE IS 30% OF TOTAL LOT AREA.
 - 5) SETBACK LIMITS FOR R-1B ZONING ARE:
FRONT - 55.0'
SIDE - 7.5'
REAR - 20.0'

- NOTES FOR MULTIPLE FAMILY LOTS 101 THRU 117:**
- 1) PROPOSED ZONING IS "R-3" MULTIPLE FAMILY DWELLING DISTRICT.
 - 2) MINIMUM LOT AREA IS 5,000 SF.
 - 3) MINIMUM LOT WIDTH IS 50 FT.
 - 4) MAXIMUM LOT COVERAGE IS 30% OF TOTAL LOT AREA.
 - 5) SETBACK LIMITS FOR R-3 ZONING ARE:
FRONT - 55.0'
SIDE - 7.5'
REAR - 20.0'

OPEN SPACE DEDICATION REQUIREMENTS (PER SECTION 425.210):

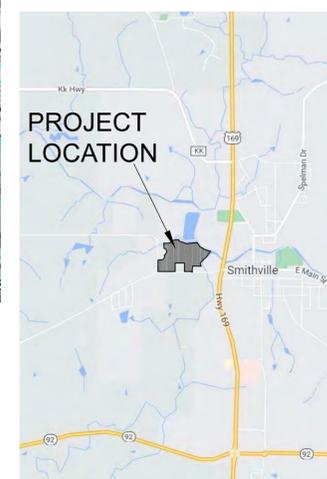
TOTAL DWELLING UNITS:	87 UNITS
CITY OF SMITHVILLE CENSUS DENSITY:	2.85 PERSON/UNIT
REQUIRED RECREATION AREA:	.02 AC/PERSON
DEDICATION REQUIREMENT:	87x2.85x.02 = 4.96 AC

- NOTES FOR DEVELOPMENT:**
- 1) DEVELOPMENT WILL BE PHASED AS INDICATED IN THE PHASE LAYOUT MAP.
 - 2) FULL SITE GRADING WILL BE COMPLETED DURING PH I CONSTRUCTION.
 - 3) UTILITIES SUCH AS WATER, SEWER, AND STORM WILL BE STUBBED FOR FUTURE PHASES AND INSTALLED AS THOSE PHASES DEVELOP.
 - 4) THE COMMON GROUND CONSISTING OF THE LAKE, TRAILS, AND ADJACENT OPEN AREAS SURROUNDING THE MULTI-FAMILY WILL BE DEDICATED FOR OPEN SPACE REQUIREMENT PER CHAPTER 425, SECTION 425.210.
 - 5) TRAIL IN COMMON GROUND WILL BE INSTALLED DURING PHASE II CONSTRUCTION.
 - 6) TRAIL IN DEDICATED EASEMENT WILL BE CONSTRUCTED IN PHASE III.
 - 7) CONNECTING TRAILS LOCATED BETWEEN LOTS SHALL BE CONCRETE. CONNECTING TRAILS LOCATED IN FUTURE PHASES SHALL BE CONSTRUCTED WITH THAT PHASE.
 - 8) ALL TRAILS ARE GRAVEL UNLESS NOTED OTHERWISE.
 - 9) THE EAST PORTION OF THE PROPERTY IS LOCATED WITHIN THE FLOOD PLAIN ACCORDING TO FEMA FLOOD MAP 29047C0014E WITH EFFECTIVE DATE OF 8/3/2015.
 - 10) BASE FLOOD ELEVATION (BFE) IS 812. THE SITE GRADING WILL PROVIDE A MINIMUM FINISHED FLOOR ELEVATION OF 814.
 - 11) WHERE BASEMENTS ARE CONSTRUCTED, BASEMENT FLOOR MUST BE ABOVE ELEVATION 814.



FEMA FLOOD MAP (NOT TO SCALE)

- = GRAVEL
- = ASPHALT
- = CONCRETE



VICINITY MAP (NOT TO SCALE)

REV.	DATE	BY	DESCRIPTION
4	01-05-2023	DJS	TRAIL EASEMENT ADDED ALONG SECOND CREEK RD
3	11-08-2022	DJS	ROAD NAME REVISIONS
2	11-28-2022	DJS	REVISED PER CITY REVIEW COMMENTS
1	10-14-2022	DJS	SUBMITTED TO CITY FOR PAZ REVIEW

CLIENT:	LMW INVESTMENTS, LLC SMITHVILLE, MO	DATE:	10-14-2022	SCALE:	NONE
DRAWN BY:	DJS	DATE:	10-14-2022	SCALE:	NONE
PROJECT NUMBER:	2021.29				
SHEET DESCRIPTION:	PRELIMINARY PLAT				



Board of Aldermen Request for Action

MEETING DATE: 1/17/2023

DEPARTMENT Parks

AGENDA ITEM: Appointment of Parks and Recreation Committee Member

REQUESTED BOARD ACTION:

The Mayor will make the nomination of Jeremiah Bloemker, replacing Allyson Attigilata as student representative to the Parks and Recreation Committee and the Board will vote.

SUMMARY:

In accordance with Section 400.650 of the Code of Ordinances states that the Board of Aldermen must vote on whether to approve the Mayor's recommended appointment.

The appointment of this remaining term expires in October of 2024.

PREVIOUS ACTION:

POLICY OBJECTIVE:

Click or tap here to enter text.

FINANCIAL CONSIDERATIONS:

Click or tap here to enter text.

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 checked="" type="checkbox"/> Other: Application | |

From: FormBuilder@MunicipalNotices.com
To: amitchell@smithvillemo.org; [Linda Drummond](#)
Subject: Volunteer Application
Date: Sunday, January 1, 2023 12:50:32 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Form Information:

Form URL: <https://smithvillemo.org/forms.aspx?fid=563>

Form Name: Volunteer Application

Form Text: Do you have a love of community and an interest in serving? Our volunteer Commissions and Committees are a vital part of Smithville's success. If you are interested in volunteering on any of our boards please complete this application.

All Commission and Committee members are appointed by the Mayor, with approval by the Board of Aldermen.

User Submitted Content:

Board, Commission or Committee of Interest Parks & Recreation Committee |

Name Jeremiah Bloemker

Address 14601 Derryhale way

Phone 8167872294

e-mail Jbloemker26@gmail.com

Background Freshman in highschool. I play Lacrosse and football. Football through the school and lacrosse through club. I played lots of sports through parks and Rec as a kid. Have lived in smithville my whole life and know the community and want to be more active in it.

Reason for Volunteering Wanting to help my community and give back. While also wanting to look good for colleges. I use the downtown park a lot and would like to see some changes to the heritage and other parks run by smithville. So it can be better for the kids of the future.

Additional experience My parents have experience in the government. I have
or information which a watched and learned from them while, also learning
City Committee might different and better ways to get things accomplished. I
benefit from will be engaged and not afraid to speak up about what I
think should be done and how it should be done.

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