

## SMITHVILLE BOARD OF ALDERMEN REGULAR SESSION

September 24, 2024 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. following the Work Session. A quorum of the Board was present: Marv Atkins, Melissa Wilson, Kelly Kobylski, Leeah Shipley, Dan Hartman and Ronald Russell.

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

### 2. Pledge of Allegiance lead by Mayor Boley

### 3. Proclamation

- September is Senior Center Month
- Falls Awareness Week – September 23-29



Mayor Boley presented the Proclamations to Amy Alexander, Senior Services Coordinator.

### 4. Public Hearing – Property Tax Levy

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

No Public Comment.

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

### 5. Consent Agenda

- **Minutes**
  - August 20, 2024, Board of Aldermen Work Session Minutes
  - August 20, 2024, Board of Aldermen Regular Session Minutes

- **Finance Report**
  - Finance Report for August 2024
- **Resolution 1397, Temporary Liquor License**  
A Resolution issuing a temporary liquor license to Smithville Main Street District for Junkville to be held in the downtown courtyard on Saturday, September 28, 2024.
- **Resolution 1398, Temporary Liquor License**  
A Resolution issuing a temporary liquor license to Eric Craig Real Estate team for Festi-ville to be held in the downtown courtyard on Saturday, October 5, 2024.
- **Resolution 1399, Special Event Permit**  
A Resolution approving a special event permit for Eric Craig Real Estate Team for Festiville In the downtown courtyard on Saturday, October 5, 2024.
- **Resolution 1400, Liquor License – Dustin Racen, Gromet Entertainment**  
A Resolution issuing a Liquor License to Dustin Racen, Gromet Entertainment dba Gizmo’s Tavern located at 111 North Bridge Street.
- **Resolution 1401, Leak Adjustment**  
A Resolution approving a water and wastewater leak adjustment request for Dan Rowe Properties, LLC.

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

No discussion.

Ayes – 5, Noes – 0, Abstained – 1 (Alderman Shipley), motion carries. Mayor Boley declared the consent agenda approved.

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

### **6. Committee Reports**

Alderman Shipley reported on the August 22 Parks and Recreation Committee meeting. She noted that a couple of their agenda items were included in the City Administrator’s Report. The restroom was delivered to Diamond Crest Park on September 13, and they are working on installation. They broke ground September 2 on the Emerald Ridge Park and playground. They had an Eagle Scout present his project. He built a giant destination or tourism chair and was looking for a location for it. Alderman Shipley noted that the committee is working with him to come up with a location for it.

Mayor Boley added that they are looking at an October date to install for the chair.

Alderman Hartman reported on the August 28 Economic Development Committee meeting. They had a guest speaker, Matt Pezold, Field Specialist in Labor and Workforce Development, with the University of Missouri Extension. He presented information on development for the state, specifically Clay County and Smithville and nationally.

### **7. City Administrator’s Report**

Cynthia Wagner noted that there was a lot of information in her report.

Alderman Russell asked about the timing for the four police officer recruits.

Cynthia explained that we currently have four recruits enrolled in the Kansas City Regional Police Academy. Two will graduate on September 26, 2024, another on January 9, 2025, and the fourth will graduate in March 2025. Cynthia explained that the recruits are in the academy for six months and then they are assigned to 16 weeks of field training.

Alderman Russell asked if there a projected timing for the School Resource Officers being place back in the schools.

Cynthia explained that it will depend on staffing.

Alderman Russell noted that he had heard that the School District were hiring security guards.

Cynthia explained that the School District is looking to hire additional security officers and staff is working to try to set up a meeting to discuss their plan with Dr. Maus and school staff. Cynthia noted that whenever we are having staffing issues, we keep in communication with the School District, and they have been good to work with. She added that she meets with the Superintendent on a monthly basis and they discuss a number of items and the City's staffing of police has been on ongoing discussion.

Alderman Russell asked if there would be an issue if the security officers were armed.

Cynthia explained that we are in discussions with the School District from a legal perspective with regard to how that relationship would work with the City's Police Department.

Mayor Boley noted that the School District has had security guard for a couple of years now and with this year's school budget added two more.

## **ORDINANCES & RESOLUTIONS**

### **8. Bill No 3038-24, Setting the 2024 Property Tax Rate – Emergency Ordinance – Sponsored by Mayor Boley – 1<sup>st</sup> and 2<sup>nd</sup> Reading**

Alderman Atkins moved to approve Bill No. 3038-24, fixing the annual rate of levy on all taxable property within the city of Smithville, Missouri, for the year 2024 pursuant to 67.110 RSMo. 1<sup>st</sup> reading by title only. Alderman Hartman seconded the motion.

Alderman Russell noted that the County recommended a slight decrease, and the City increased it .001 mill, which is not a big increase. He asked why staff came up with the reasoning for the increase instead of leaving it the same or lowing it.

Cynthia explained that the numbers are based on the state calculations that all entities use. That is the allowable amount that the City can tax. Cynthia noted that for a number of years our assessments have gone up and we have rolled that number back. There is an allowable inflationary increase and that is what is included. The assessed valuation on personal property did go down slightly and that is why there is an increase.

Upon roll call vote:

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

Ayes – 4, Noes – 2, motion carries. Mayor Boley declared Bill No. 3038-24 approved first reading.

Alderman Atkins moved to approve Bill No. 3038-24, fixing the annual rate of levy on all taxable property within the city of Smithville, Missouri, for the year 2024 pursuant to 67.110 RSMo. 2<sup>nd</sup> reading by title only. Alderman Hartman seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 4, Noes – 2, motion carries. Mayor Boley declared Bill No. 3038-24 approved.

**9. Bill No. 3039-24, FY2024 Budget Amendment No. 4 – Emergency Ordinance  
Sponsored by Mayor Boley – 1<sup>st</sup> and 2<sup>nd</sup> Reading**

Alderman Atkins moved to approved Bill No. 3039-24, amending the FY2024 Budget. 1<sup>st</sup> reading by title only. Alderman Hartman seconded the motion.

Alderman Russell had a question concerning the three dollar amounts that were left in last years budget. He asked if there were any other projects that were outstanding and was any other money left in the FY2023 budget.

Cynthia explained that the budget that was reviewed in the work session was for the FY2025 budget. The FY2023 budget we are done with, the FY2024 budget there are projects that are not completed and are now reflected in the FY2025 budget. This project was thought to be completed in FY2023 but was not and we had not moved the funds from the FY2023 budget to the FY2024 budget. Cynthia noted that we have seen a lot of delays in projects being completed in the last few years.

Chuck Soules, Public Works Director, explained these projects are complicated because we originally bid the Streetscape project back in February, but the bids came in too high and had to rebid it. Then we had to get MoDOT’s approval to award the bid. This month we had a meeting with the neighbors and next Monday we will close the road and start the project. Chuck noted that Streetscape was a FY2024 project but most of it is going to move to FY2025. Unfortunately, we do not know how much of the project will move to FY2025, the contractor will order materials and then bill us for the materials, but we do not know if that will be before or after November 1. He explained that staff does their best to try to estimate it but if the estimate is off that is when we have to do the budget amendments. Chuck noted that the same thing happened with Commercial Street Sidewalk, it was bid in May, and we are just now getting the contracts through MoDOT, and we should be able to issue the notice to proceed October 1 and will not complete the project by November 1. Staff has tried to anticipate how much of that is going to be spent from the FY2024 budget and move the remainder of the funds to FY2025.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3039-24 approved first reading.

Alderman Atkins moved to approved Bill No. 3039-24, amending the FY2024 Budget. 2<sup>nd</sup> reading by title only. Alderman Hartman seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3039-24 approved.

**10. Bill No. 3040-24, Rezoning Corner of 169 and W Highway – 1<sup>st</sup> Reading**

Alderman Atkins moved to approve Bill No. 3040-24, changing the zoning classifications or districts of certain lands located in the City of Smithville, Missouri located at the southeast corner of 169 and W Highways. 1<sup>st</sup> reading by title only. Alderman Hartman seconded the motion.

Mik Kellam and Lindsey Vogt, representing the engineering firm to answer any questions.

Alderman Wilson asked why Clay Creek was included on the calculation on the density.

Jack Hendrix, Development Director, explained that he kept Clay Creek in it because if you look at the [Comp Plan's Future Land Use Map](#), the entire area is orange, so he included it as the possible limits on the dwelling units per acre.

Alderman Wilson asked if the 26.79 acres holds the number of units that are being built there without including Clay Creek.

Jack said that it will.

Alderman Wilson made the comment that she did not catch this during the Comprehensive Planning process. She took it as this area was just a suggestion for multi-family dwellings. She noted that a lot of people involved with the creation of those plans, the north character area, that the overall consensus was a hope that this area would stay single-family detached. Alderman Wilson said on a positive note that she appreciated the developers taking into account some of the suggestions and questions they had during the Planning and Zoning Commission meeting.

Alderman Hartman noted that this is fulfilling the housing need we have had in Smithville for some time.

Upon roll call vote:

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

Ayes – 4, Noes – 2, motion carries. Mayor Boley declared Bill No. 3040-24 approved.

**11. Resolution 1402, Award Bid 24-15 for Snow Removal**

Alderman Atkins moved to approve Resolution 1402, authorizing and directing the Mayor to execute an agreement with R & S Lawn Services for residential snow removal in an amount not to exceed \$185 per hour. Alderman Hartman seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1402 approved.

**12. Resolution 1403, Change Order No. 2 – Quincy Boulevard**

Alderman Atkins moved to approve Resolution 1403, approving Change Order No. 2 with Amino Brothers in the amount of \$122,733.44 for additional asphalt for the Quincy Boulevard Improvements. Alderman Hartman seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1403 approved.

**13. Resolution 1404, Engineering Authorization No. 102**

Alderman Atkins moved to approve Resolution 1404, authorizing and directing the Mayor to execute Authorization No. 102 with HDR for the Wastewater Treatment Plant Facility Plan. Alderman Hartman seconded motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1404 approved.

**14. Resolution 1405, Amendment No. 2 to Authorization No. 94**

Alderman Atkins moved to approve Resolution 1405, authorizing and directing the Mayor to execute Amendment 2 to Authorization No. 94 with HDR Engineering for an environmental evaluation. Alderman Hartman seconded motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1405 approved.

**OTHER MATTERS BEFORE THE BOARD**

**15. Public Comment**

Kristine Bunch, 402 4<sup>th</sup> Terrace, spoke to the Board about her concerns about businesses without business licenses with the City or the state.

**16. Appointment**

The Mayor nominated Jeff Arnold for the Housing Authority Commission, and the Board will vote:

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. The Mayor declared Jeff Arnold the Board Commissioner to the Housing Authority Board.

**17. New Business from the Floor**

Mayor Boley brought up the possibility of having the Economic Development Committee be independent of the City boards and able to operate similar to the Chamber of Commerce.

Alderman Hartman said that he believed this is something they should consider and discuss as a Board.

Alderman Kobylski agreed.

Alderman Russell asked what the benefit of it was to have it operate separately.

Mayor Boley explained that city committee can not go after funding and other things like the chamber can do. The Economic Development Committee now is just an advisory to the Board of Aldermen.

Alderman Kobylski asked if it could be on a future work session.

Mayor Boley said that staff can look into it.

**18. Adjourn.**

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned at 7:29 p.m.

  
Linda Drummond, City Clerk

  
Damien Boley, Mayor