



City of Smithville, Missouri
Board of Aldermen – Regular Session Agenda
7:00 p.m. Tuesday, May 7, 2024
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 YouTube page](#).

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.

Join Zoom Meeting

<https://us02web.zoom.us/j/83591879172>

Meeting ID: 835 9187 9172

Passcode: 041710

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Proclamations**
 - National Public Service Recognition Week
 - National Police Week
 - Older American's Month
4. **Consent Agenda**
 - **Minutes**
 - April 16, 2024, Board of Aldermen Work Session Minutes
 - April 16, 2024, Board of Aldermen Regular Session Minutes – 1st meeting
 - April 16, 2024, Board of Aldermen Regular Session Minutes – 2nd meeting
 - **Resolution 1345, Leak Adjustment**

A Resolution approving a water and wastewater leak adjustment request for Melissa Pendleton in the amount of \$577.30.
 - **Resolution 1346, Leak Adjustment**

A Resolution approving a water and wastewater leak adjustment request for Lepe Construction in the amount of \$3,333.56.

REPORTS FROM OFFICERS AND STANDING COMMITTEES

5. **Committee Reports**
 - Parks and Recreation Committee
 - Economic Development Committee
6. **City Administrator's Report**

ORDINANCES & RESOLUTIONS

7. **Bill No. 3032-24, Budget Amendment No. 3 – Emergency Ordinance Sponsored by Mayor Boley - 1st and 2nd Reading**

An Ordinance amending the FY2024 budget. 1st & 2nd reading by title only.
8. **Resolution 1347, Final Plat – Mount Olivet**

A Resolution approving the final plat for Mount Olivet subdivision.

- 9. Resolution 1348, Support of an Application for the TAP Grant**
A Resolution acknowledging Board of Aldermen support of an application for the Transportation Alternative Program (TAP) Grant through Mid-America Regional Council (MARC).
- 10. Resolution 1349, Bid Award No. 24-13, RFQ for IT Support and Services**
A Resolution authorizing and directing the Mayor to enter into an agreement with ALLO Business for the City's IT Support and Services.
- 11. Resolution 1350, Amendment to the Employee Compensation Plan**
A Resolution adopting amendments to the Employee Compensation Plan.
- 12. Resolution 1351, Changes to LAGERS Employee Retirement Plan**
A Resolution approving changes under the Missouri Local Government Employees' Retirement System.
- 13. Resolution 1352, Authorization No. 94, Amendment No. 1**
A Resolution authorizing Amendment No. 1 of Authorization No. 94 with HDR Engineering, Inc. for the design of an alternate alignment of the Force Main Bypass of 144th Street Pump Station in the amount of \$29,920.
- 14. Resolution 1353, Emerald Ridge Park Playground Equipment**
A Resolution awarding the Emerald Ridge Park and Playground Project to Athco, LLC. in an amount not to exceed \$450,000.

OTHER MATTERS BEFORE THE BOARD

- 15. 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.
- 16. 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.
- 17. Adjourn**





Proclamation

Public Service Recognition Week May 5 – May 11

WHEREAS, National Public Service Recognition Week is an opportunity to express gratitude and appreciation for the hard work and commitment of our public servants across all levels of government; and

WHEREAS, public servants work tirelessly, with dedication, integrity, and compassion, to uphold the public good, inspire trust and confidence, and enhance the quality of life for all residents; and

WHEREAS, public servants represent a diverse array of occupations, including but not limited to inspectors, social workers, accountants, clerks, educators, public transportation workers, technology professionals, administrators, planners, parks workers, laborers, analysts, sanitation workers, and countless others; and

WHEREAS, many public servants, including military personnel, police officers, firefighters, health care professionals, and others risk their lives each day in service to the people of the United States; and

WHEREAS, while some public servants are very visible in the community, others work behind the scenes to ensure that services are available to residents and processes are open and accessible to the public; and

WHEREAS, without these public servants, continuity would be impossible in a democracy that regularly changes its leaders and elected officials.

NOW, THEREFORE, I, Damien Boley, Mayor of the City of Smithville, Missouri, do hereby proclaim May 5th through 11th, 2024 as:

NATIONAL PUBLIC SERVICE RECOGNITION WEEK

in the City of Smithville, MO and encourage all residents to join me in honoring and recognizing the dedication, professionalism, and sacrifice of our public servants at all levels of government.

DATED this 7th day of May 2024.

Damien Boley, Mayor
City of Smithville, Missouri



Proclamation



Police Week May 12-18, 2024

WHEREAS, in 1962, President Kennedy proclaimed May 15 as National Peace Officers Memorial Day and the calendar week in which May 15 falls, as National Police Week; and

WHEREAS, the dedicated members of the Smithville Police Department work devotedly and selflessly on behalf of the citizens of the City of Smithville, regardless of the peril or hazard to themselves; and

WHEREAS, the members of our police department play an important role in protecting the rights and freedoms of the citizens of our community; and

WHEREAS, it is important that all citizens know and understand the duties and responsibilities of their police department, and that members of our police department recognize their duty to serve the people by safeguarding life and property, defending them against violence or disorder, and guarding the innocent against deception and the weak against oppression; and

WHEREAS, our police department has grown to be a modern and well-respected law enforcement agency which unceasingly provides a vital public service; and

WHEREAS, U.S. flags should be flown at half-staff on May 15th for Peace Officers Memorial Day, in honor of all fallen officers and their families.

NOW, THEREFORE, I, Damien Boley, Mayor of the City of Smithville do hereby proclaim May 12-18, 2024, as National Police Week in the City of Smithville, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

Dated this 7th day of May, 2024.



Damien Boley, Mayor



Proclamation

May 2024 Older Americans Month

WHEREAS, May is Older Americans Month, a time for us to recognize and honor the City of Smithville's older adults and their immense influence on every facet of American society; and

WHEREAS, through their wealth of life experience and wisdom, older adults guide our younger generations and carry forward abundant cultural and historical knowledge; and

WHEREAS, older Americans improve our communities through intergenerational relationships, community service, civic engagement, and many other activities; and

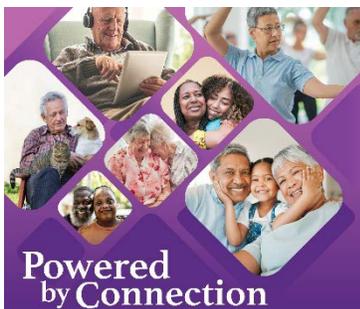
WHEREAS, communities benefit when people of all ages, abilities, and backgrounds have the opportunity to participate and live independently; and

WHEREAS, the City of Smithville must ensure that older Americans have the resources and support needed to stay involved in their communities — reflecting our commitment to inclusivity and connectedness; and

NOW, THEREFORE, I, Damien Boley, Mayor of the City of Smithville do hereby proclaim May 2024 as Older Americans Month. This year's theme, "Powered by Connection," emphasizes the profound impact of meaningful interactions and social connection on the well-being and health of older adults in our community.

I call upon all residents to join me in recognizing the contributions of our older citizens and promoting programs and activities that foster connection, inclusion, and support for older adults.

Dated this 7th day of May 2024



Damien Boley, Mayor



Board of Aldermen Request for Action

MEETING DATE: 5/7/2024

DEPARTMENT: Administration/Finance

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**
 - April 16, 2024, Board of Aldermen Work Session Minutes
 - April 16, 2024, Board of Aldermen Regular Session Minutes – 1st meeting
 - April 16, 2024, Board of Aldermen Regular Session Minutes – 2nd meeting
- **Resolution 1345, Leak Adjustment**

A Resolution approving a water and wastewater leak adjustment request for Melissa Pendleton in the amount of \$577.30.
- **Resolution 1345, Leak Adjustment**

A Resolution approving a water and wastewater leak adjustment request for Lepe Construction in the amount of \$3333.56.

SUMMARY:

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

PREVIOUS ACTION:

N/A

POLICY ISSUE:

N/A

FINANCIAL CONSIDERATIONS:

N/A

ATTACHMENTS:

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

**SMITHVILLE BOARD OF ALDERMEN
WORK SESSION**

April 16, 2024 6:30 p.m.

City Hall Council Chambers and Via Videoconference

1. Call to Order

Mayor Boley, present, called the meeting to order at 6:30 p.m. A quorum of the Board was present: Marv Atkins, Melissa Wilson, Ronald Russell, Leeah Shipley, Dan Hartman and Dan Ulledahl (6:31 p.m.).

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

2. FY2023 Audit Review Presentation

Harold Ray, CPA with CliftonLarsonAllen, LLP, CLA presented the results of the FY2023 audit. He noted that he has been with CLA for 13 year and CLA has been working with the City since 2014. He said that during that time they have seen the City grow.

Required Communications

- Separate letter required by audit standards – included in the work session packet.

Harold encouraged the Board to read the letter. He noted that no significant or unusual transactions were identified and no significant difficulties were encountered. Their staff did not have any disagreements with City staff and no new accounting policies were adopted.

Internal Control Communications

- Material Weaknesses – deficiencies in internal control such that there is a reasonable possibility that a material misstatement would not be prevented or detected and corrected on a timely basis.
 - 2023-001 Financial Reporting
 - 2023-002 Identification of Audit Adjusting Entries

Harold noted that with the financial reporting there was nothing new from the previous audits. He explained that the Board, along with City staff, share responsibilities for the City's internal controls and CLS provides the outside audit function. As the outside auditors they cannot be part of the City's internal controls. He explained that this is a deficiency that is common to governments of Smithville's size. Harold noted that to do away with it, there is a cost associated with hiring someone else to prepare the financial statements outside of the auditors.

Harold noted that with the identification of audit adjusting entries, most of the entries relate to capitalizing property, equipment, some debt entries, an entry to record some additional interest on some CD's and reclassifying some items within the special allocation fund.

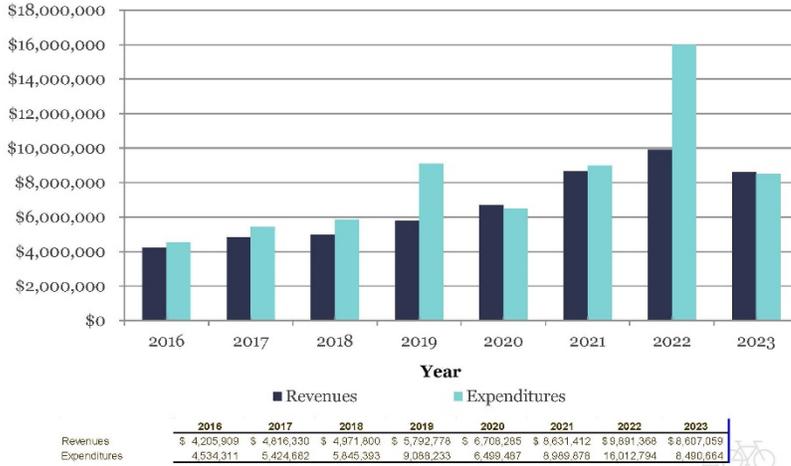
Single Audit

- Audit required by Uniform Guidance over federal funding not required for 2023
- Total Federal Expenditures - \$741,354

Harold noted that an additional single audit was not required, the City did not have expenditures over \$750,000. He explained that next year it is being raised to \$1 million.

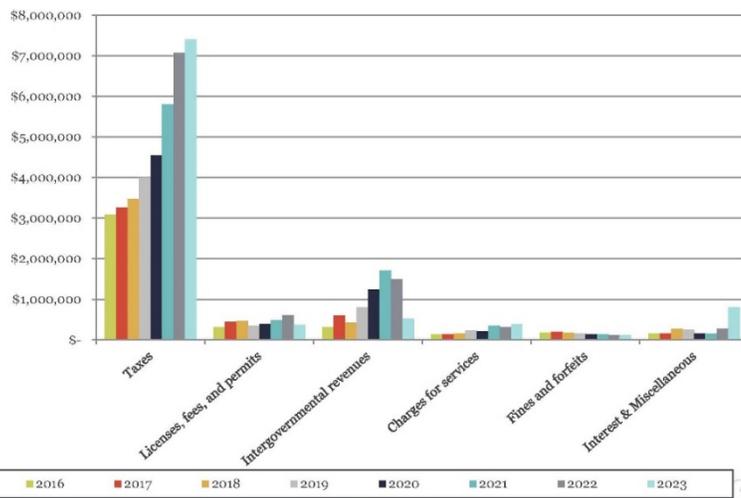
Financial Results

All Governmental Funds – Revenues and Expenditures



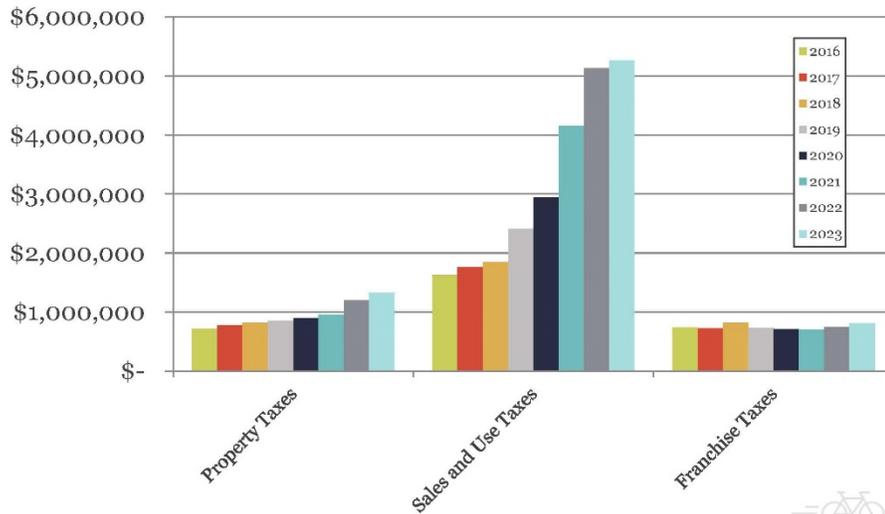
Harold noted that 2022 was abnormal year due to issuing TIF bonds and the additional expenditure for paying the proceeds of those.

All Governmental Funds – Revenue Sources



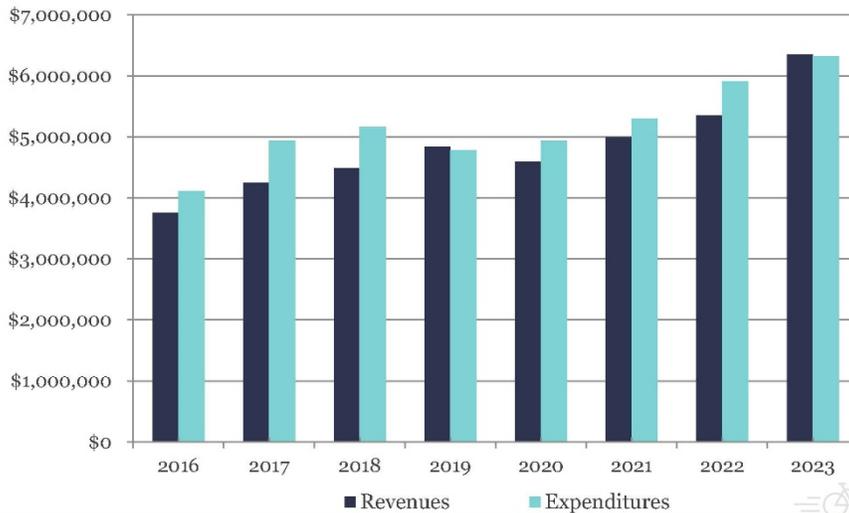
Harold noted that there was a 5% increase in taxes.

All Governmental Funds – Tax Revenues



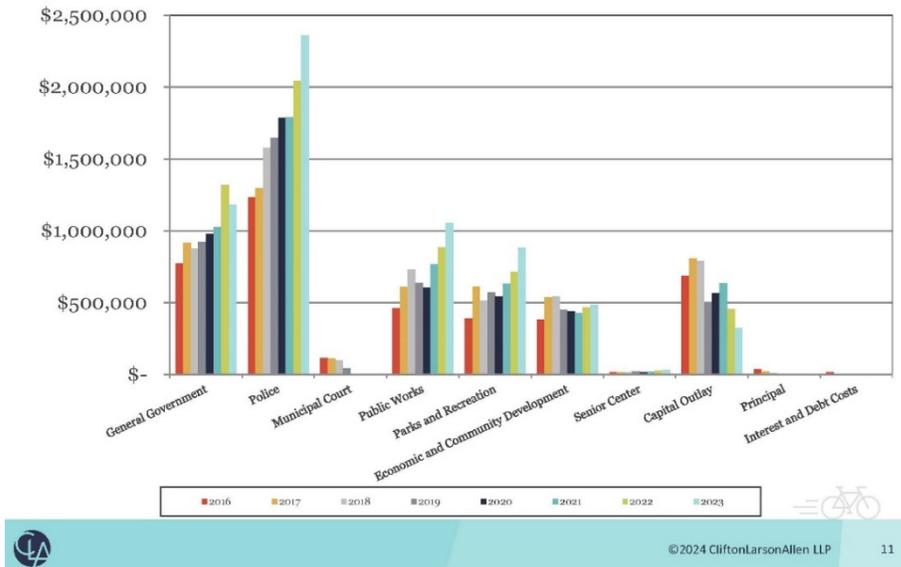
Harold noted that sales tax revenue was up about 9.8% and property taxes were up 2.6%.

General Fund – Total Revenues and Expenditures



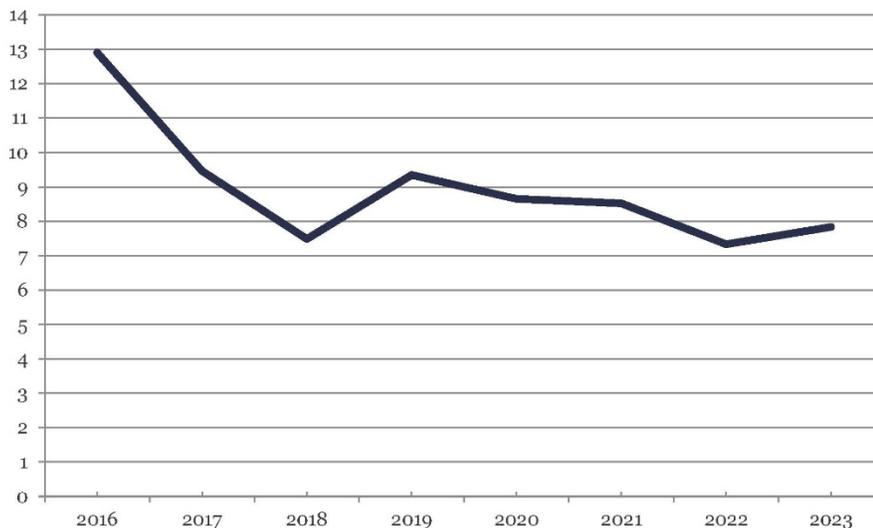
Harold noted that revenues exceeded expenditures by approximately \$28,000 in 2023.

General Fund – Expenditures



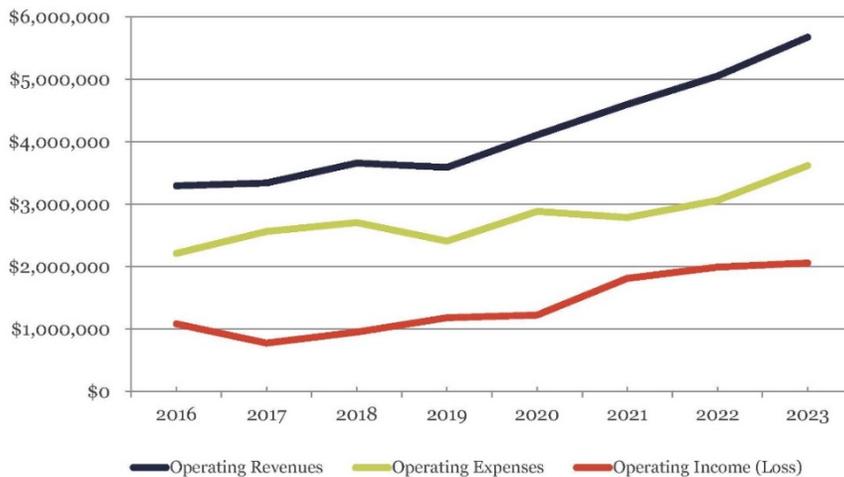
Harold noted that the Police Department expenditures for 2023 were \$2.36 million and the general government were \$1.18 million. Public Works were just over \$1 million, and Parks and Recreation were \$883,000.

Months Expenditures in Fund Balance – General Fund



Harold noted that this is the reserve funds within the general fund. 2023 ended with \$7.84 million. He said that you want to keep a six-month reserve in that fund.

Water and Sewer Fund Historical Trends

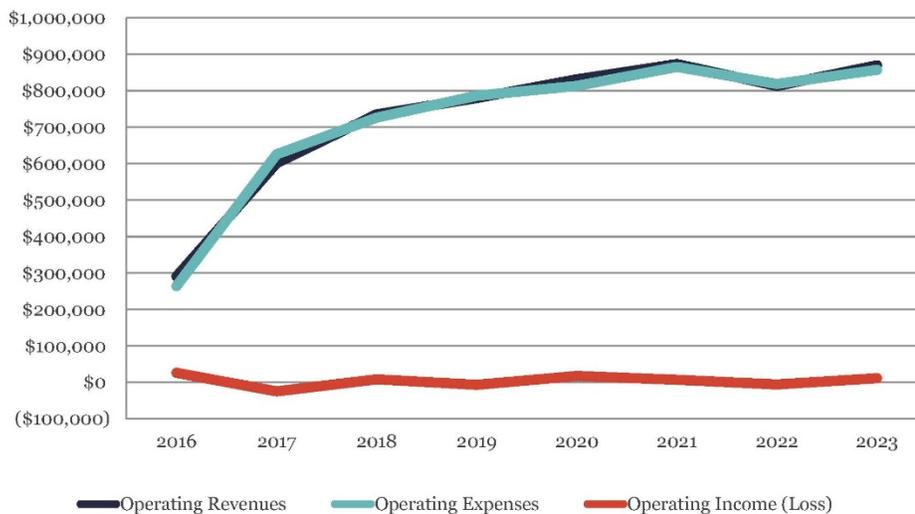


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Harold noted that revenues were up about 12% and operating expenses went up about 18%.

Sanitation Fund Historical Trends

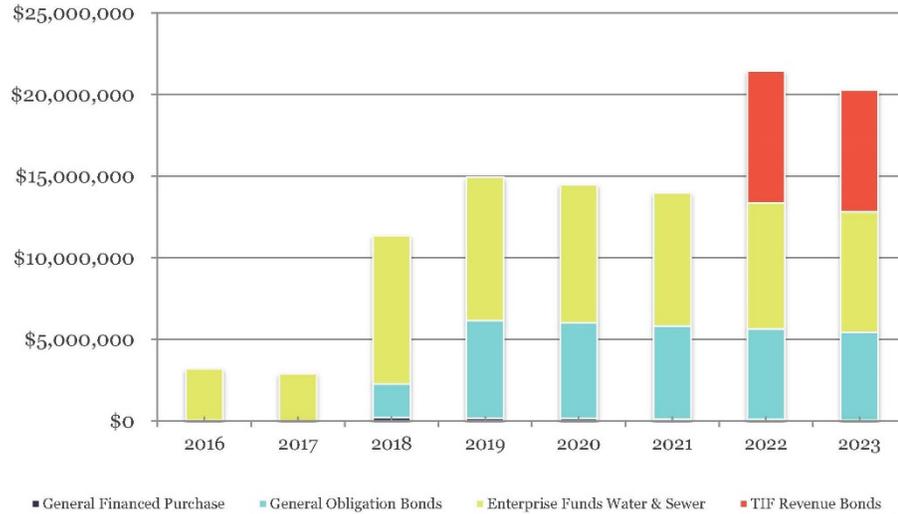


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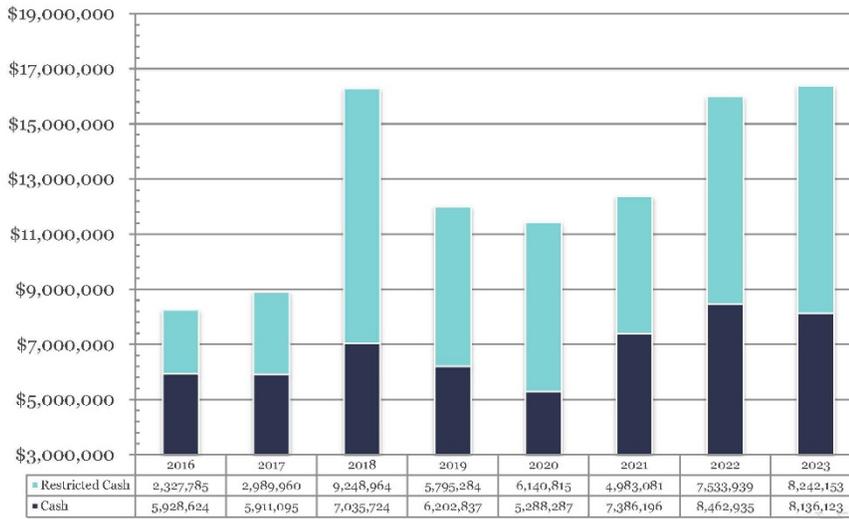
Harold noted that the operating revenue for 2023 was just under \$12,000 and is pretty much a break-even balance. The ending balance within the sanitation fund is about \$69,000 and the expenses average about \$71,000 a month. Harold pointed out the ending balance is less than one month's expenditures.

City Debt



Harold noted that there was no new debt for 2023 and the City retired about \$1,165,000 in principal and an additional \$804,000 in interest.

City Cash Position



Harold noted that a large amount of the City cash is restricted, and some are related to the TIF bonds that were issued last year.

Alderman Russell asked if the Police Department expenditures in the General Fund included overtime, and if so, what percentage was overtime.

Harold explained that the total of that fund did include overtime plus all of their expenditures, but he did not have the percentage for the overtime.

Alderman Russell said he did not understand the difference between the GAAS process the process that the City uses. He noted that it was pointed out in the material weaknesses. He asked for clarification as far as it being a different accounting type. The audit pointed out that other cities use similar to what the City does now, so it is not abnormal. He said that the City is also being graded on the GAAS format and asked if that something that cities are moving towards or away from. He asked if that was something the City needed to do or look into.

Harold explained that Alderman Russell was asking about Generally Accepted Accounting Principles or GAAP accounting. The City's financials are on a modified cash basis which means it is primarily cash in and out is modified for debt, gets recorded as a liability, capital assets that you purchase get capitalized. Harold explained that if the City would move to full GAAP accounting, there is going to be a lot of additional receivables for taxes, in receivables on customers utility bills, all the different payables, accrued payroll, retirement liabilities. He noted that there is a whole host of other things that would end up going into the financial statements. It does make them a little more complicated and maybe a little more difficult to understand. He said that it just kind of depends on the size of the city, if you have any other requirements and every once in a while if you issue bonds, sometimes they may want you to have GAAP accounting. Harold explained that is where the City is right now, it is working for you the way it is, and he would not necessarily worry about changing it.

Alderman Russell asked that this maybe something in the future, but right now we are good.

Harold said yes.

3. Adjourn

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the Work Session adjourned at 6:44 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor

**SMITHVILLE BOARD OF ALDERMEN
REGULAR SESSION**

April 16, 2024, 7:00 p.m. 1st Meeting
City Hall Council Chambers

1. Call to Order

Mayor Boley, present, called the meeting to order at 6:59 p.m. A quorum of the Board was present: Marv Atkins, Melissa Wilson, Leeah Shipley, Dan Hartman, Ronald Russell and Dan Ulledahl.

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

2. Pledge of Allegiance led by Dan Ulledahl

3. Consent Agenda

- **Minutes**

- April 1, 2024 Board of Alderman Regular Session Minutes

- **Financial Report**

- Financial Update through March 2023

No discussion.

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

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

ORDINANCES & RESOLUTIONS

4. Resolution 1343, Certify the April 2, 2024 Election Results

Alderman Ulledahl moved to approve Resolution 1343, certifying the results of the April 2, 2024 Municipal Election held in the City of Smithville, Missouri. Alderman Hartman seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1343 approved.

5. Adjournment Sine Die (end of legislative session)

Mayor Boley declared this portion of the meeting adjourned Sine Die at 7:01 p.m.

6. Oath of Office for Newly Elected Officials

City Clerk, Linda Drummond, administered the oath of office to the newly elected officials: Mayor Damien Boley, Alderman Kelly Kobylski, Ward I, Alderman Ronald Russell, Ward II and Marvin Atkins, Alderman Ward III.



7. Reception for Outgoing Elected Official and Newly Elected Officials

A brief reception was held with refreshments to thank the elected officials. Mayor Boley presented Alderman Ulledahl a Proclamation for his six years of service.



Linda Drummond, City Clerk

Damien Boley, Mayor

**SMITHVILLE BOARD OF ALDERMEN
REGULAR SESSION**

April 16, 2024 Following the First Meeting
City Hall Council Chambers and Via Videoconference

1. Call to Order

Mayor Boley, present, called the meeting to order at 7:09 p.m. following the first Regular Session. A quorum of the Board was present: Melissa Wilson, Leeah Shipley, Marv Atkins, Ronald Russell, Kelly Kobylski and Dan Hartman.

Staff present: Cynthia Wagner, Gina Pate, Chuck Soules, Chief Lockridge, Rick Welch, Matt Denton, Linda Drummond and City Attorney, John Reddoch.

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

Alderman Hartman moved to amend the agenda to table item number 2 and move it to the last item on the agenda. Alderman Wilson seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. The Mayor declared the agenda amended and item number 2 moved to the end of the meeting.

REPORTS FROM OFFICERS AND STANDING COMMITTEES

3. City Administrator's Report

Cynthia Wagner, City Administrator, highlighted a couple of items in the Administrator's Report. Information provided in response to Board questions at the previous meeting is included in the report.

Cynthia noted that over two years ago staff put together information requesting funding through the federal earmark process with Congressman Graves. Staff have received word that Smithville is one of the five communities in Congressman Graves District that have been awarded money through that earmark. At this point in time, staff anticipates it will be north of \$1.5 million for projects for FY2024. In anticipation of the additional funding, Chuck Soules, Public Works Director, and Cynthia have been in conversations over the last week and a half with a representative from the Army Corps of Engineers because they are the ones that will be administering this project and the program. Cynthia noted that staff was excited to announce this funding. She explained that the funds are limited to sanitary sewer and storm sewer projects. Staff has submitted a number of projects and are working with the Army Corps of Engineers to make that broad enough to be able to cover projects. This is a 75/25% match, so staff is looking at projects where we can have 75% of the match total the \$1.5 to \$1.8 million.

Cynthia highlighted the recognition of two of our police officers Officer Dominic Bristol and Sergeant Jim Morgan who were recently awarded the Lifesaving Medals and the information on that is outlined in her report.

ORDINANCES & RESOLUTIONS

4. Bill No. 3031-24, Supplementary Agreement with MoDOT – 2nd Reading

Alderman Atkins moved to approve Bill No. 3031-24, authorizing and directing the Mayor to execute a Transportation Alternatives Funds Program Supplemental Agreement with the Missouri Highways and Transportation Commission for improvements to Commercial Street from Smithville High School to Meadow Street including infrastructure improvements encouraging safer routes for non-motorized users and improving the pedestrian environment. 2nd reading by title only. Alderman Russell seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3031-24 approved first reading.

5. Resolution 1344, Leak Adjustment

Alderman Atkins moved to approve Resolution 1344, approving a water and wastewater leak adjustment request for Scott Boylan in the amount of \$175.02. Alderman Hartman seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1344 approved.

OTHER MATTERS BEFORE THE BOARD

6. Public Comment

Kristine Bunch, 402 4th Street Terrace, spoke to the Board about her concern with the Mayor's qualifications by Ordinance.

Pursuant to Section 79.080, RSMo., no person shall be Mayor unless he or she be at least twenty-five (25) years of age, a citizen of the United States and a resident of the City at the time of and for at least one (1) year preceding his or her election.

She said that she would like to see the language changed to being a resident of the City during their time in office.

7. Election of Mayor Pro Tem

Alderman Hartman nominated Alderman Atkins for Mayor Pro Tem. Alderman Wilson seconded the nomination. No other nominees.

By roll call vote.

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

Ayes – 5, Noes – 0, Abstained – 1, motion carries. The Mayor declared Alderman Atkins as Mayor Pro Tem.

8. Election of Planning Commission Representative

Alderman Hartman nominated Alderman Wilson for Planning Commission Representative. Alderman Atkins seconded the nomination. No other nominees.

By roll call vote.

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

Ayes – 5, Noes – 0, Abstained – 1, motion carries. The Mayor declared Alderman Wilson as Planning Commission Representative.

9. Election of Economic Development Committee Representative

Alderman Wilson nominated Alderman Kobylski for Economic Development Committee Representative. Alderman Atkins seconded the nomination.

Alderman Kobylski nominated Alderman Hartman for Economic Development Committee Representative. Alderman Shipley seconded the nomination.

Alderman Wilson withdrew her nomination for Alderman Kobylski.

By roll call vote.

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

Ayes – 5, Noes – 0, Abstained – 1, motion carries. The Mayor declared Alderman Hartman as Economic Development Committee Representative.

10. Election of the Parks and Recreation Committee Representative

Alderman Hartman nominated Alderman Shipley for Parks and Recreation Committee. Alderman Kobylski seconded the nomination. No other nominees.

By roll call vote.

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

Ayes – 5, Noes – 0, Abstained – 1, motion carries. The Mayor declared Alderman Shipley as Parks and Recreation Committee Representative.

Mayor Boley noted that Alderman Kobylski had been helping with Lakefest along with Parks and Recreation Director, Matt Denton, and would continue.

11. New Business from the Floor

None.

12. 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 vote:

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

Ayes – 6, Noes – 0, motion carries.

The Mayor declared the meeting adjourned to Executive Session Pursuant to Section
610.021(1&2)RSMo at 7:20 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor



Board of Aldermen Request for Action

MEETING DATE: 5/7/2024

DEPARTMENT: Finance

AGENDA ITEM: Resolution 1345, Approving a Water and Wastewater Leak Adjustment Request

REQUESTED BOARD ACTION:

Motion to approve Resolution 1345, approving a water and wastewater leak adjustment request for Melissa Pendleton in the amount of \$577.30.

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

On or about January 30, 2024, the Utilities Division obtained electronic reads of water usage for the month of January. Those reads were uploaded to the billing system and staff was alerted to the accounts that had no, little or high usage.

Following the month of the January billing cycle, Melissa Pendleton had started the cycle with a read of 1,504 and finished the January cycle with a read of 1,735, which resulted in consumption of 23,100 gallons. This amount was more than twice the established monthly average. As required by Ordinance 2989-18, Melissa Pendleton has provided proof of repair/maintenance of the service line leak which caused the high usage during the January billing cycle.

On or about February 28, 2024, the Utilities Division obtained electronic reads of water usage for the month of February. Those reads were uploaded to the billing system and staff was alerted to the accounts that had no, little or high usage.

Following the month of the February billing cycle, Melissa Pendleton had started the cycle with a read of 1,735 and finished the February cycle with a read of 2,066, which resulted in consumption of 33,100 gallons. This amount was more than twice the established monthly average. As required by Ordinance 2989-18, Melissa Pendleton has provided proof of repair/maintenance of the service line leak which caused the high usage during the February billing cycle.

If approved, the leak adjustment would issue a credit of \$577.30 to Melissa Pendleton's utility account.

PREVIOUS ACTION:

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

POLICY OBJECTIVE:

Click or tap here to enter text.

FINANCIAL CONSIDERATIONS:

Reduce utility revenues by \$577.30.

ATTACHMENTS:

- Ordinance
- Resolution
- Staff Report
- Other: Repair Documentation
- Contract
- Plans
- Minutes

RESOLUTION 1345

**A RESOLUTION APPROVING A WATER AND WASTEWATER
LEAK ADJUSTMENT REQUEST FOR MELISSA PENDLETON
IN THE AMOUNT OF \$577.30**

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

WHEREAS, Melissa Pendleton, a residential utility billing customer with account 01-001040-01, 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 \$577.30.

**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 \$577.30 shall be credited to account 01-001040-01 of residential utility billing customer Melissa Pendleton.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 7th day of May, 2024.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



Water and Wastewater Leak Adjustment Request

Utility Customer Name: Melissa Pendleton

Utility Service Address: 103 Liberty Road

Utility Account Number: 01-001040-01

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 \$577.30 at the Board of Alderman meeting on 5/7/2024.

Upon resolution by the Board of Alderman, I, Melissa Pendleton, 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.

Melissa Pendleton
Customer's Signature

4/17/2024
Date

11:52

5GUC 42%

← 400 Park Dr Smithville, MO 64089-9406
Inv_129758_from_Taylor_Plu...
 TAYLOR PLUMBING SERVICES, INC. (816) 532-0737

BILL TO

Andy Pendelton
103 Liberty Rd
Smithville, Mo 64089

| REP | 2nd Rep | Visit us on our Website! www.TaylorPlumbingServicesInc.com | | DATE | INVOICE # |
|-----------|---------|---|------|--------------|-------------------|
| B | KG | | | 4/12/2024 | 129758 |
| ITEM | QTY | DESCRIPTION | RATE | N F R | AMOUNT |
| INT021881 | | 250 psi Poly Water Service to 50' Replace compression that was there crawl space hook up drill wall | | | 1,711.16 |
| | | Thank you for your business Nate & Crew | | | |
| | | I did mail a copy to Mr.Mosby | | | |
| | | | | Total | \$1,711.16 |

Proud Members of:



A service charge of 2% per month will be added on overdue accounts. Minimum - \$2.00

www.facebook.com/taylorplumbingservices



Water and Wastewater Leak Adjustment Calculation

Utility Customer Name: **Melissa Pendleton**

Utility Service Address: **103 Liberty Road**

Utility Account Number: **01-001040-01**

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): \$10.40
 Average monthly water usage for this property: 4,500 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): \$6.21

- 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): \$8.84
 Average monthly wastewater usage for this property: 4,500 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

| MONTH 1 | |
|---|---------------|
| Original Water Bill Amount | |
| 33,100 gallons @ 10.4 per 1,000 gallons = | 344.24 |
| Adjusted Water Bill Amount | |
| 9,000 gallons @ 10.4 per 1,000 gallons = | 93.60 |
| + 24,100 gallons @ 6.21 per 1,000 gallons = | 149.66 |
| | 243.26 |
| Water Discount = | 100.98 |
| Original Wastewater Bill Amount | |
| 33,100 gallons @ 8.84 per 1,000 gallons = | 292.60 |
| Adjusted Wastewater Bill Amount | |
| 4,500 gallons @ 8.84 per 1,000 gallons = | 39.78 |
| Wastewater Discount = | 252.82 |

| MONTH 2 (if applicable) | |
|---|---------------|
| Original Water Bill Amount | |
| 23,100 gallons @ 10.4 per 1,000 gallons = | 240.24 |
| Adjusted Water Bill Amount | |
| 9,000 gallons @ 10.4 per 1,000 gallons = | 93.60 |
| + 14,100 gallons @ 6.21 per 1,000 gallons = | 87.56 |
| | 181.16 |
| Water Discount = | 59.08 |
| Original Wastewater Bill Amount | |
| 23,100 gallons @ 8.84 per 1,000 gallons = | 204.20 |
| Adjusted Wastewater Bill Amount | |
| 4,500 gallons @ 8.84 per 1,000 gallons = | 39.78 |
| Wastewater Discount = | 164.42 |

Total Discount = 577.30



Board of Aldermen Request for Action

MEETING DATE: 5/7/2024

DEPARTMENT: Finance

AGENDA ITEM: Resolution 1346, Approving a Water and Wastewater Leak Adjustment Request

REQUESTED BOARD ACTION:

Motion to approve Resolution 1346, approving a water and wastewater leak adjustment request for Lepe Construction in the amount of \$3,333.56.

SUMMARY: The City has received notice from Carlos Lepe with Lepe Construction, LLC, of a repaired water leak at an unoccupied residential property, and his request for a water leak adjustment. All requirements set forth in Ordinance 2989-18 have been met.

On or about March 28, 2024, the Utilities Division obtained electronic reads of water usage for the month of March. Those reads were uploaded to the billing system and staff was alerted to the accounts that had no, little or high usage.

Following the month of the March billing cycle, Lepe Construction, LLC had started the cycle with a read of 25 and finished the March cycle with a read of 8,031, which resulted in consumption of 800,600 gallons. This amount was more than twice the established monthly average. As required by Ordinance 2989-18, Lepe Construction, LLC has provided proof of repair/maintenance of the service line leak which caused the high usage during the March billing cycle.

If approved, the leak adjustment would issue a credit of \$3,333.56 to Lepe Construction, LLC's utility account.

PREVIOUS ACTION:

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

POLICY OBJECTIVE:

Click or tap here to enter text.

FINANCIAL CONSIDERATIONS:

Reduce utility revenues by \$3,333.56

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 1346

**A RESOLUTION APPROVING A WATER AND WASTEWATER
LEAK ADJUSTMENT REQUEST FOR LEPE CONSTRUCTION
IN THE AMOUNT OF \$3,333.56**

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

WHEREAS, Lepe Construction, LLC, 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 \$3,333.56.

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 \$3,333.56 shall be credited to account 03-000105-00 of commercial utility billing customer Lepe Construction, LLC.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 7th day of May, 2024.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



Water and Wastewater Leak Adjustment Request

Utility Customer Name: Lepe Construction, LLC

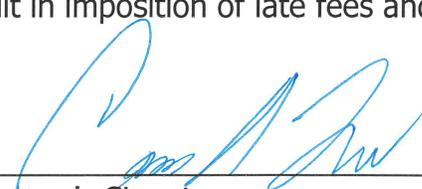
Utility Service Address: 708 Ridge Drive

Utility Account Number: 03-000105-00

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 \$3,333.56 at the Board of Alderman meeting on 5/7/2024.

Upon resolution by the Board of Alderman, I, CARLOS LEPE, 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.


Customer's Signature

4-23-24
Date

Lepe Construction, LLC
6327 N. Oak Trafficway
Kansas City, MO 64118

City of Smithville
107 W. Main St.
Smithville, MO 64089

April 30th, 2024

To Whom it May Concern:

This letter is to inform you that as of April 30th, 2024, the water leak issue at 708 Ridge Dr, Smithville, MO. 64089 has been fixed by Lepe Construction, LLC and will no longer be a problem. This was a warranty job that was completed by Carlyle Plumbing, INC so there was no invoice or payment due.

Thank you, and if you have any questions regarding this matter, please call me at 816-365-1479.

Sincerely,

Handwritten signature of Carlos Lepe and the date 4-30-24.

Carlos Lepe
Lepe Construction
816-365-1479



Water and Wastewater Leak Adjustment Calculation

Utility Customer Name: **Lepe Construction**
 Utility Service Address: **708 Ridge Drive**
 Utility Account Number: **03-000105-00**

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): \$10.40
 Average monthly water usage for this property: 2,500 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): \$6.21

- 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): \$8.84
 Average monthly wastewater usage for this property: 2,500 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

| MONTH 1 | |
|--|----------------|
| Original Water Bill Amount | |
| 800,600 gallons @ 10.4 per 1,000 gallons = | 8326.24 |
| Adjusted Water Bill Amount | |
| 5,000 gallons @ 10.4 per 1,000 gallons = | 52.00 |
| + 795,600 gallons @ 6.21 per 1,000 gallons = | 4940.68 |
| | 4992.68 |
| Water Discount = | 3333.56 |
| Original Wastewater Bill Amount | |
| 2,500 gallons @ 8.84 per 1,000 gallons = | 22.10 |
| Adjusted Wastewater Bill Amount | |
| 2,500 gallons @ 8.84 per 1,000 gallons = | 22.10 |
| Wastewater Discount = | 0.00 |

| MONTH 2 (if applicable) | |
|--|-------------|
| Original Water Bill Amount | |
| gallons @ 10.4 per 1,000 gallons = | 0.00 |
| Adjusted Water Bill Amount | |
| 0 gallons @ 10.4 per 1,000 gallons = | 0.00 |
| + 0 gallons @ 6.21 per 1,000 gallons = | 0.00 |
| | 0.00 |
| Water Discount = | 0.00 |
| Original Wastewater Bill Amount | |
| 0 gallons @ 8.84 per 1,000 gallons = | 0.00 |
| Adjusted Wastewater Bill Amount | |
| 0 gallons @ 8.84 per 1,000 gallons = | 0.00 |
| Wastewater Discount = | 0.00 |

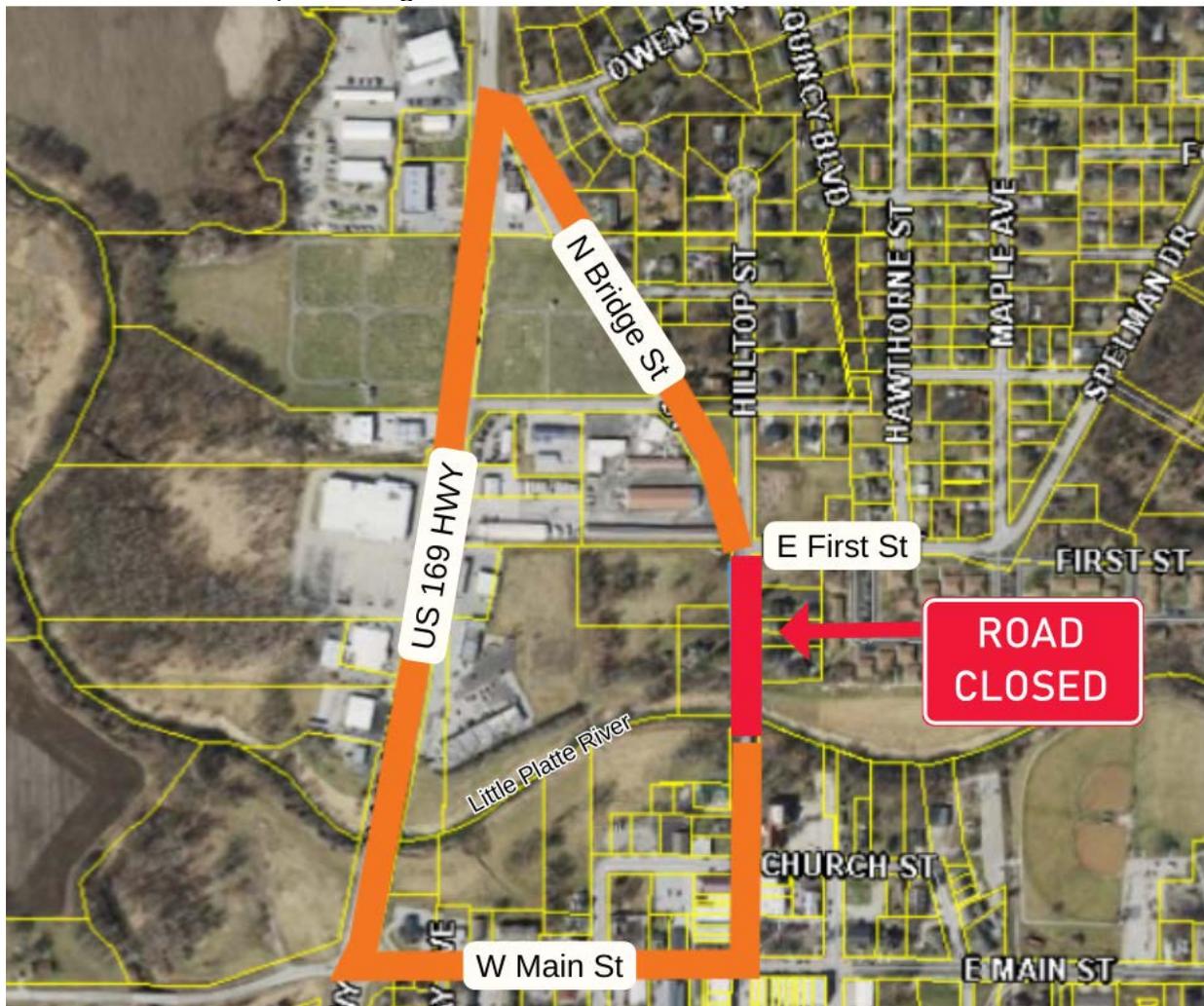
Total Discount = 3,333.56

City Administrator's Report

April 11, 2024

Bridge Street Waterline Replacement

The City's contractor plans to install new waterlines along North Bridge Street starting the week of May 6. Anticipated road closures will affect North Bridge Street, from 1st Street to the Little Platte River, with an estimated duration of approximately three weeks. At night, the contractor will open the southbound lane of North Bridge Street. All work is weather permitting.



Sidewalk Replacement Program

This project has been completed by the city's contractor.

Street Maintenance project

The City's contractor is scheduled to commence street overlay and curb repair work in the Harborview subdivision in mid-May. Temporary traffic disruptions are expected during this period. Below is a map with the areas that will be part of this year's program.



Sewer Rehabilitation Program

The City's contractor has completed the slipline process and finished manhole rehabilitation as part of this year's program. Sewer lines improved under this program include sections of Maple Lane, Brasfield, Spelman, Dundee, and Maple Avenue.

Quincy Boulevard Improvements Project

Outstanding tasks for this project include sidewalk installation, driveway repair, final asphalt layer application, cleaning, and grading. The contractor aims to finish the remaining work by the end of May. Please note that traffic disruptions may occur during the pouring of the final asphalt layer.

E-Waste/ Shredding Event

On April 6th, the City of Smithville hosted an E-waste/Shredding event at Smithville High School. Smithville residents shredded a total of 2,271 pounds of paper during the event. This effort equates to the preservation of over 18 trees, the conservation of more than 1700 kilowatt-hours of energy, the avoidance of over 11 cubic meters of landfill space, and the preservation of more than 20 barrels of oil.

Marketing Smithville to Lake Visitors

The Economic Development Committee prioritized marketing Smithville to lake visitors in order to increase the potential of visits to Smithville businesses, restaurants, events and local amenities. To this end, Gina Pate and Parks and Recreation Staff partnered to develop a handout that will be provided to Smith's Fork campers and at various locations for distribution to visitors of Smithville Lake. Staff plans to roll out this campaign to more campsites in coordination of Clay County Parks in the future. The landing page for the Visit Smithville, MO information can be found [here](#). The handout is attached for reference.

Smithville Lake Festival

As you are aware, Smithville Lake Festival will be held downtown June 14 and 15. The festival committee is looking for volunteers for the Kids Festival. A Sign Up Genius for volunteer opportunities may be found [here](#).

City Hall and Meeting Schedule

City Hall will be closed Monday, May 27 in observance of Memorial Day.

City Hall will be closed Monday, June 17 in observance of Founder's Day.

City Hall will be closed Thursday, July 4 and Friday July 5 in observance of Fourth of July.

Mayor Boley has recommended that the July 2 Board of Aldermen meeting be cancelled.



Board of Aldermen Request for Action

MEETING DATE: 5/7/2024

DEPARTMENT:

Administration/Finance/Public Works

AGENDA ITEM: Approve Bill No. 3032-24, FY2024 Budget Amendment No. 3 –
Emergency Ordinance Sponsored by Mayor Boley – 1st & 2nd Reading

REQUESTED BOARD ACTION:

A motion to approve Bill No 3032-24, amending the FY2024 Budget. 1st and 2nd reading by title only.

SUMMARY:

This Budget Amendment includes expenditure and revenue authority to account for a number of changes across city funds.

During development of the FY2024 Budget, staff proposed an upgrade to the City's benefits. The City's current LAGER's retirement program, L-7, has a multiplier of 1.5% at a 2% employee contribution. The LAGERS upgrade is to L-12, with a multiplier of 1.75% and retain the current 2% employee contribution.

The total estimated cost of this change is \$48,079.56. Amendment to the expenditure budgets in the General Fund and Combined Water and Wastewater Systems (CWWS) Fund are required as outlined below. Fund balance in both funds are sufficient to cover these expenditure changes.

- \$36,000.75 to the expenditure budget in the General Fund.
- \$12,078.81 to the Combined Water and Wastewater Fund.

Included in the approved FY2024 Budget are expenditures related to IT services and support in the amount of \$24,450. The City of Smithville bid IT Services and Support and selected a new vendor, resulting in an increase in costs of \$13,050. This increase is recommended to be split between the General Fund and the Combined Water and Wastewater Fund as outlined below. Fund balance in both funds are sufficient to cover these expenditure changes.

- \$9,374.88 to the expenditure budget in the General Fund.
- \$3,675.12 to the Combined Water and Wastewater Fund.

The City of Smithville requested additional grant funds from Mid-America Regional Council for the Commercial Street Sidewalk Project and successfully secured an additional \$460,000, bringing the total secured amount to \$960,000. The estimated cost of the project stands at \$1.2 million, with the city committed to a match of approximately \$240,000. The FY24 budget initially allocated \$750,000 for the Commercial Street Sidewalk Project. To accommodate the additional funds for the Commercial Street Sidewalk Project, an amendment to both the revenue and

expenditure budgets in the Transportation Sales Tax Fund totaling \$460,000 is required to ensure the necessary budget authority.

The City of Smithville requested Mid-America Regional Council additional funds for the Streetscape Phase III Project and successfully secured an additional \$1,000,000, bringing the total secured amount to \$1,488,000. The estimated cost of the project stands at \$1.5 million, with the City committed to a 20% match of approximately \$300,000. The FY2024 budget initially allocated \$800,000 for the Streetscape Phase III Project. To accommodate the additional funds for the Streetscape Phase III Project, an amendment to both the revenue and expenditure in the Capital Improvements Sales Tax Fund totaling \$1,000,000 is required to ensure the necessary budget authority.

PREVIOUS ACTION: The Board previously approved the FY2024 Budget on October 17, 2023.

POLICY ISSUE: Approving an amendment to the FY2024 Budget.

FINANCIAL CONSIDERATIONS:

Amend the FY2024 Budget. Additional funds for the Streetscape Phase III and Commercial Street Project will be reimbursed by Mid-America Regional Council.

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 AMENDING THE FY2024 BUDGET

WHEREAS, pursuant to Ordinance 3206-23, passed on October 17, 2023, the City approved the fiscal year ending October 31, 2024 budget; and

WHEREAS, not included in the approved fiscal year 2024 Budget are the additional expenditures related to the change in LAGERS Employee Retirement Program, a new IT Services and Support agreement, and capital projects; and

WHEREAS, an amendment to the General Fund, Capital Improvement Sales Tax Fund, Transportation Sales Tax Fund, and Combined Water and Wastewater Fund is required at this time.

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

THAT the fiscal year ending October 31, 2024, Budget is hereby amended to add:

- \$45,375.63 to the expenditure budget in the General Fund.
- \$15,753.93 to the expenditure budget in the Combined Water and Wastewater Fund.
- \$1,000,000 to the expenditure budget in the Capital Improvement Sales Tax Fund.
- \$1,000,000 to the revenue budget in the Capital Improvement Sales Tax Fund.
- \$460,000 to the expenditure budget in the Transportation Sales Tax Fund.
- \$460,000 to the revenue budget in Transportation Sales Tax Fund.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 7th day of May 2024.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 05/07/2024

Second Reading: 05/21/2024



Board of Aldermen Request for Action

MEETING DATE: 5/7/2024

DEPARTMENT: Development

AGENDA ITEM: Resolution 1347, Final Plat Mount Olivet Subdivision

RECOMMENDED ACTION:

A motion to approve Resolution 1347, approving the final plat for Mount Olivet Subdivision.

SUMMARY:

The final plat would create 14 of the approved 33 lots on 185.08 acres at 14422 North Mount Olivet Road.

BACKGROUND:

This land was annexed in January of 2024, and followed with setting the initial zoning (to A-R) and seeking Preliminary Plat approval for 33 lots in a two phase subdivision entitled Mount Olivet. The Planning Commission heard the application and recommended approval at its March 2024 meeting. The Board of Aldermen approved the preliminary plat at its April 1, 2024 meeting.

During that April 1st meeting, there was some confusion as to responsibilities related to traffic impact studies. Staff submits this additional background information in order to alleviate those concerns. Traffic Impact Studies have been required by the city for many years with no specific parameters identifying when and what scope of any such study. In May of 2022, the Board of Aldermen adopted a new Transportation Master Plan, which included specifics related to Traffic Impact Studies (TIS). One of the first things identified is the base threshold for when a TIS should be required. The City of Smithville's standards for when one should be triggered is when either 50 peak hour trips OR 500 daily trips are generated by the development. The city's standard is the most stringent standard in the immediate area.

The Institute of Transportation Engineers (ITE) is the national organization that collects data on traffic generation and makes Common Trip Generation Rates for various types of standard land uses. That organization identifies that the average peak hour trip generation factor is .79 trips per dwelling unit, and the average daily trip generation factor is 9.99 daily trips per dwelling unit. Using our own trigger of 50/500, this development would generate 27 trips per peak hour and 330 daily trips, which is just 66% of the level needed to require a TIS. As a result, a TIS was not required nor requested.

The proposed Final Plat will only have lots that access existing streets and as a result, the upgrade to 144th Street (4" overlay) is delayed until the 10 building permit is to be issued. The intent is to allow the most significant heavy vehicle traffic to occur prior to the improvement. The Mount Olivet improvement is delayed until the the Phase II Final Plat is completed.

The submitted Final Plat does not deviate from the approved Final Plat and therefore meets all the standards of the current city codes.

PREVIOUS ACTION:

The preliminary plat of this subdivision was approved on April 1, 2024 by Resolution 1341 by the Board of Aldermen.

POLICY ISSUE:

The Comprehensive Plan calls for low density residential housing in the area.

FINANCIAL CONSIDERATIONS:

None

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 |

RESOLUTION 1347

**A RESOLUTION APPROVING A FINAL PLAT FOR
MOUNT OLIVET SUBDIVISION**

WHEREAS, the subject property at 14422 North Mount Olivet Road was rezoned and a preliminary plat was approved by the Board of Aldermen on April 1, 2024 with the passage of Resolution 1341, and;

WHEREAS, the applicant submitted a final plat that does not deviate from the approved preliminary plat; and;

WHEREAS, the phase of this development does not require any public infrastructure improvements for the City of Smithville until the 10th building permit is requested, so no special bonding requirements are required. The developer must still pay park fees in the amount of \$8,750 for the 14 lots to be created prior to release of the Final Plat for recording in accordance with this approval, and;

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

**THAT THE FINAL PLAT OF MOUNT OLIVET SUBDIVISION IS HEREBY
APPROVED WITH THE FOLLOWING CONDITIONS:**

**THE PLAT SHALL NOT BE RELEASED FOR RECORDING UNTIL PARK
FEES ARE PAID.**

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 7th day of May, 2024.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



May 1, 2024
Final Plat for Clay County Parcel Id # 06-703-00-02-004.00

Application for a Plat Approval – Mt. Olivet Final Plat– 14 lots

Code Sections:

425.285.A.5 Final Plat Approval

Property Information:

Address: 14422 N. Mt. Olivet Road
Owner: Yallaly Enterprises, LLC
Current Zoning: A- R

GENERAL DESCRIPTION:

The property is located at the northwest corner of 144th Street and Mt. Olivet Road at 14422 N. Mt. Olivet Road. On April 1, 2024, the Board of Aldermen approved rezoning the land to A-R and approved a 33-lot preliminary plat for Mt. Olivet subdivision. The approval included a two-phase subdivision, with Phase I (submitted here) to start with 14 lots that all gain access to the public roads via existing public streets (Wise, 144th and Mt. Olivet); uses Clay County #9 water lines and will be on private septic systems for every lot. This approval also included a development agreement that included certain public road improvements, specifically a 4" asphalt overlay on 144th St. to be required prior to the 11th house permit is issued in Phase I, a micro surface treatment on Mt. Olivet to be included with the Phase II final plat work, as well as full depth asphalt without curbs, gutters, and sidewalks on the two new streets in Phase II. Lastly, the agreement requires payment of \$625.00 per lot for Park fees in lieu of dedications at the time of Final Plat release. If approved, this final plat would require \$8,750 in Parks fees prior to releasing the plat for recording.

The standard for approval of a Final Plat in a subdivision that has an approved Preliminary Plat relates solely to whether the Final Plat "substantially deviates" from the approved Preliminary Plat. In this particular case, the proposed Final Plat has no deviations from the approved Preliminary Plat.

During the meeting for approval of the Preliminary Plat by the Board of Aldermen, several questions were brought up concerning various aspects of traffic. Many of the comments related to accidents on Mt. Olivet in areas distant from the subject property, as well as the desire to have a four-way stop installed at 144th St. Lastly, many comments questioned the lack of a Traffic Impact Study (TIS). City Staff clearly could have assisted in relieving some of the confusion by describing the City's standards for when a TIS is required at that time. In order to clear this oversight up and hopefully eliminate any confusion, the City's standards are described below.

In the City's new Transportation Master Plan, the Board approved a policy that set forth proposed new standards for TIS's, including the level of traffic that would trigger/require a new TIS. The City's standards are such that, for a new single-family detached housing subdivision, any subdivision that generates more than 50 Peak Hour Trips or 500 daily trips from vehicles must prepare and submit a TIS. Peak Hour Trips are the average number of trips in a one-hour period between 7-9am or 4-6pm. Daily trips are the total average number of trips generated, with both being based upon the number of lots in the subdivision. The Institute of Traffic Engineers (ITE) is the nationally recognized organization to evaluate and calculate the trip generation standards for all types of developments.

For a single-family, detached development like this, the ITE has a factor assigned to each type of trip based upon the number of lots. For example, the Peak Hour factor in this case is .79, which means that the number of lots multiplied by this factor gives you the number of average Peak Hour Trips (33 lots X .79 = 26.07, rounded to 27). The daily trip factor is 9.99, multiplied by the same 33 total lots, which generates 330 daily trips. Both are substantially below the standards which would require a TIS. This development is not close to the City's triggers in requiring a TIS. It should be noted that the City's standards are twice as restricted as any adjacent jurisdictions triggers. (50/500 vs. 100/1000)

The City's engineers and City staff have reviewed Final Plat document and have certified that the proposed Final Plat for Mt. Olivet does not substantially deviate from the approved Preliminary Plat in accordance with Section 425.285.A.5.b of the Code of Ordinances and no TIS is required.

GUIDELINES FOR REVIEW – SINGLE PHASE SUBDIVISION FINAL PLATS *See 425.285.A.5.*

The final plat shall conform as closely as possible to the approved preliminary plat with no substantial deviations from said plat.

The proposed Final Plat for Mt. Olivet subdivision does not deviate from the approved Preliminary Plat as approved by Resolution 1341 of the Board of Aldermen.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Final Plat based upon adherence to the condition that the Plat not be released for recording until such time as the Park Fees in the amount of \$8,750.00 are paid, all outstanding review invoices have been paid, and any construction required is bonded to ensure performance.

Respectfully Submitted,

/s/ Jack Hendrix

Director of Development



Board of Aldermen Request for Action

MEETING DATE: 5/7/2024

DEPARTMENT: Public Works/Parks and
Recreation

AGENDA ITEM: Resolution 1348 – Acknowledgement of TAP Grant Application

REQUESTED BOARD ACTION:

A motion to approve Resolution 1348, acknowledging Board of Aldermen support of an application for the Transportation Alternative Program (TAP) Grant through Mid-America Regional Council (MARC).

SUMMARY:

The City is submitting applications for the TAP grant through Mid-America Regional Council for the fiscal year 2027–2028. The applications require a resolution of support by the Governing body.

The City is applying for federal assistance from the TAP grant to assist in the funding for the Eagle Parkway Trail, Maple Lane Sidewalks, and Wayfinding Signage Implementation Project.

Eagle Parkway Trail Project

The Eagle Parkway Trail project is aimed at establishing a trail network within Smithville's Eagle Parkway area. Spanning a total distance of 2 miles upon completion, the project is divided into two phases. Phase 1 will cover a mile-long segment from 180th Street to 188th Street, while Phase 2 will extend from 188th Street to Little Platte North Park. The construction of a 10-foot-wide multi-use concrete path provides pedestrians and cyclists with a safe and accessible route to navigate the area. This trail will not only connect existing pathways but also facilitate access to key community destinations, including Eagle Heights Elementary School, Wildflower Park, Smithville Lake, and a Paradise golf course.

Maple Lane Sidewalks Project

The Maple Lane Sidewalks project focusses on enhancing pedestrian safety and accessibility. It will establish a safe route to Maple Elementary School and connect neighborhoods with existing sidewalks. The project will construct 1,500 feet of 5-foot-wide sidewalk on Maple Lane from Pine Street to Maple Avenue. A Pedestrian crossing with flashing beacons will be installed for safe crossing to the school on Maple Avenue.

Wayfinding Signage Implementation Project

The City of Smithville Wayfinding Signage Implementation project is a city-wide initiative developed by the City of Smithville to enhance navigation throughout the area. The project's primary focus involves strategically placing directional signs across city streets, and some state highways and county roads, ensuring clear visibility and

providing easy-to-follow guidance for drivers. Key activities include the installation of directional signs at crucial intersections, entry points, and along major roadways in Smithville.

Eagle Parkway Trail Project

| | |
|----------------------|-----------|
| Total Estimated Cost | 2,000,000 |
| Federal Grant Funds | 1,600,000 |
| City | 400,000 |

Maple Lane Sidewalks Project

| | |
|----------------------|---------|
| Total Estimated Cost | 600,000 |
| Federal Grant Funds | 480,000 |
| City | 120,000 |

Wayfinding Signage Implementation Project

| | |
|----------------------|-----------|
| Total Estimated Cost | 1,000,000 |
| Federal Grant Funds | 800,000 |
| City | 200,000 |

PREVIOUS ACTION:

The Board has reviewed projects through the Capital Improvement Plan development process. Staff provided information in a City Administrator’s Report this spring outlining intent to apply for this funding.

POLICY OBJECTIVE:

N/A

FINANCIAL CONSIDERATIONS:

The maximum amount awarded to the public for trail projects is \$1,500,000. The City must provide a 20% match to the amount awarded. If a project is awarded, the sponsorship for this project will be identified in the FY27 Budget. If the grant is not awarded, these project will be delayed until funding is identified in the CIP or other grant opportunities arise. The Capital Improvement plan includes \$500,000 for the Wayfinding Signage Implementation Project distributed between FY 24 – FY28 (\$100,000 each year).

ATTACHMENTS:

- Ordinance
- Resolution
- Staff Report
- Other:
- Contract
- Plans
- Minutes

RESOLUTION 1348

A RESOLUTION ACKNOWLEDGING BOARD OF ALDERMEN SUPPORT OF AN APPLICATION FOR THE TRANSPORTATION ALTERNATIVE PROGRAM (TAP) GRANT THROUGH MID-AMERICA REGIONAL COUNCIL (MARC)

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

WHEREAS, the City of Smithville is applying for federal assistance from the TAP funding for the purpose of The Eagle Parkway Nexus Trail, Maple Lane Sidewalk project, and wayfinding project.

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

THAT, the Mayor of the City of Smithville is authorized to sign the applications for federal assistance and any other official project documents that are necessary to obtain such assistance, including any agreements, contracts or other documents that are 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 applications and will allocate the necessary funds to complete the projects.

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 TAP funding, 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 7th day of May 2024.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



Board of Aldermen Request for Action

MEETING DATE: 5/7/2024

DEPARTMENT: Administration/Finance

AGENDA ITEM: Resolution 1349, Agreement with Allo Business for IT Support and Services

REQUESTED BOARD ACTION:

A motion to approve Resolution 1349, authorizing and directing the Mayor to enter into an agreement with Allo Business for the City's IT Support and Services.

SUMMARY:

The current contract with Dan Bounds for information technology support services expires at the end of May. In February, a Request for Qualifications was distributed for IT Support Services. The City received six responses. A review staff committee comprised of Gina Pate, Assistant City Administrator, Police Captain, Tony Roetman and Linda Drummond, City Clerk reviewed the submissions and conducted interviews with four of the companies. From those four interviews, staff recommend awarding the bid to Allo Business (formerly AVID Communications).

When evaluating the proposals, the review committee evaluated the following areas:

- Proposer qualifications, experience, and demonstrated ability.
- References from previous clients.
- Thoroughness and quality of the proposal.

When evaluating interviews, the review committee considered the best proposal to enhance the City's long-term planning, cyber-security, and customer service.

Allo Business services include:

- Continuous cybersecurity monitoring and training services for employees.
- Provides a monthly report of their services and performance of the City's IT infrastructure.
- Provides the City a Technology Alignment Manager (TAM) to develop and maintain technical knowledge of the City's IT issues and solutions. The TAM will meet monthly with the City to provide progress updates and outline any issues that need to be addressed.
- A Virtual CIO to help review ongoing issues, upcoming project work, help create budgets for the City's computer needs and plan the technology roadmap for the next fiscal year. Additionally, the Virtual CIO acts in the capacity of an IT Manager to assist in long-range planning for future facility needs, network expansions, and business continuity planning for the City.
- 24/7 system monitoring.
- Ongoing installation of critical updates for operating systems.
- Ability to consolidate IT services under one agreement.
- Provides in-person and remote support.
- Unlimited support included in monthly rate, including a ticketing system for tracking purposes.

The ongoing annual cost for IT support and services will be \$63,600. The proposed agreement shall be for three years. Allo Business will provide IT support services as outlined in the scope of services included in the agreement.

AVID (Allo) has the current City's VOIP contract for phone service. With this agreement they are offering a discounted rate for phone service if the City renews with them in early summer.

PREVIOUS ACTION:

N/A

POLICY ISSUE:

N/A

FINANCIAL CONSIDERATIONS:

The FY2024 budget for IT services is \$24,450. Budget Amendment No. 3 includes additional expenditures of \$3,675.12 in the Combined Water and Wastewater Fund and \$9,374.88 in the General Fund to account for this contract. There would be ongoing annual cost of IT support and services of \$63,600 for the duration of the three-year agreement.

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: RFQ | |

[Allo's RFQ Response](#)

[Technology Solutions Service Description](#)

[Monthly Reoccurring Charges](#)

RESOLUTION 1349

**A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO
ENTER INTO AN AGREEMENT WITH ALLO BUSINESS FOR THE
CITY'S IT SUPPORT AND SERVICES**

WHEREAS, the City wishes to enter into an agreement with Allo Business (formerly AVID Communications) for information technology support and services; and

WHEREAS, Allo Business provided the best evaluated response to provide services; and

WHEREAS, the Scope of Work to be provided by Allo Business is outlined in the Agreement; and

WHEREAS, the Board of Aldermen find that it is in the best interest of the citizens of the City of Smithville that the City enter into a three-year agreement with Allo Business for information technology support and services.

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

THAT the Agreement by and between the City of Smithville, Missouri and Allo Business is hereby authorized and approved.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 7th day of May 2024.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



Master Services Agreement

GENERAL TERMS

This Master Services Agreement ("MSA") , entered into on May 7, 2024 , applies to all services ("Services") ordered by the City of Smithville ("Customer") from Avid Communications, LLC ("Avid"). In addition to the terms and conditions provided in this MSA and on Service Orders ("SOs") executed under this MSA, additional terms and conditions of service as provided on Avid's web site (<https://www.avidphone.com/termsconditionsv2/>) are hereby incorporated into this MSA.

A. **Services.**

By signing this MSA and one or more Service Orders (SOs), the Customer authorizes Avid to provide such Services as described at locations and rates specified in the SOs. Use of Services constitutes acceptance and agreement to the terms and conditions of this MSA. Customer understands Avid Communications will use reasonable efforts: (a) to provide the Services by the date requested, (b) to prevent Service interruptions, and (c) to restore the Services when Service interruptions occur. Customer is responsible for all use of the Services and all charges related to the use of the Services, whether or not authorized by Customer.

B. **Force Majeure**

Services will be provided by Avid subject to availability and in conditions beyond the control of Avid, including, but not limited to, the type and condition of Customer's equipment and facilities; failures caused by connectivity or equipment at Customer's premises; fire; flood; war; strikes; cable cuts; acts of terrorism; explosions; loss of power; local access restrictions; acts of third parties, third party services or products; or acts of God, all commonly referred to as Force Majeure events. In addition, Services may be temporarily interrupted because of equipment modifications, upgrades, relocations, repairs, and similar activities. Avid will use reasonable efforts to notify Customer of any scheduled maintenance, but may need to interrupt Services without notice or compensation to Customer.

C. **Pricing and Payment**

Customer is responsible for payment of all charges for Services, even when those Services, including long distance and international calls, are unauthorized and/or originated by fraudulent means from the Customer's premises or remote locations. Any charges set forth herein or in any proposal or quotation are exclusive of taxes, surcharges, assessments, or other fees. Any quoted amounts for fees and taxes are estimates only. Fees and taxes may be adjusted during the MSA term when ordered by taxing authorities or regulatory agencies. Payment is due 15 calendar days after invoice date, after which a late payment fee may be assessed by Avid.

D. **Term**

This agreement shall be in effect until the latest date of termination of any SO executed under this MSA or for as long as Avid continues to provide any Services to the Customer.

Services added under SOs shall be subject to the term expressly stated on the SO ("Initial Term"). The term for Services provided under any SO will automatically renew for an additional twelve (12) months ("Renewal Term") unless written notice is provided by either party to the other prior to the end of the Initial Term or the then-current Renewal Term, so long as the Customer is not then in default. Services to be disconnected shall require a 30-day notice from the Customer to Avid.

If Avid receives notice from Customer or a Local Service Request from another Carrier indicating Customer's intent to cancel Services prior to the end of the Initial Term or then-current Renewal Term, or Services are disconnected for nonpayment or other Customer breach, Customer agrees to pay immediately a termination fee, as liquidated damages and not as a penalty, as follows: a termination fee equal to one hundred percent (100%) of the recurring charges for the remaining months of the term. In addition, Customer shall reimburse Avid for any credits previously provided or charges previously waived. Customer and Avid agree that the above termination charges represent a reasonable calculation of Avid's damages in the event of early termination.

Failure to immediately pay early termination fees may result in Avid rendering the Customer's account inactive, in Avid's sole discretion, at which point any credit extended to Customer will be revoked and all invoices will be due immediately.

E. **Authorized Representatives**

The Customer shall designate one or more persons who shall have the exclusive authority to make changes pertaining to the Services, including but not limited to additions to the Services, and cancellation or termination of the Services.



F. Move or Transfer of Service

If Customer relocates to another location where Avid provides the same Services, Customer may move Services to the new location subject to payment of installation charges for the new location, if applicable; however, pricing may vary by location, and Customer’s rates may increase or decrease. Services may not be transferred or resold, and this MSA may not be transferred or assigned, by operation of law or otherwise, without Avid’s prior written approval. Any attempted assignment or transfer without Avid’s prior written approval shall be void.

G. Conversion of Service from Other Providers

When converting from another provider, Customer is responsible for paying any early termination or other fees assessed by the Other Provider and for canceling services with the Other Provider to prevent overlapping billing with Avid’s Services. If Customer cancels a Service Order, Customer shall be responsible for any costs incurred by Avid associated with the canceled order.

H. Indemnification

Customer shall defend, indemnify and hold harmless Avid, its agents, and their respective directors, officers, and employees, from and against any third party claims, losses, liabilities, damages, costs and expenses arising out of or relating to the use of the Services.

I. DISCLAIMER OF WARRANTY AND LIMITATION OF LIABILITY

THE SERVICES ARE PROVIDED “AS-IS”, WITHOUT WARRANTIES OF ANY KIND EXCEPT FOR EXPLICIT WARRANTIES ASSOCIATED WITH PURCHASED EQUIPMENT. CUSTOMER ACKNOWLEDGES THAT TRANSMISSIONS OVER THE SERVICE MAY NOT BE SECURE. IN NO EVENT SHALL AVID BE LIABLE TO CUSTOMER, END USER OR ANY THIRD PARTY FOR ANY INCIDENTAL, INDIRECT, CONSEQUENTIAL, SPECIAL OR PUNITIVE DAMAGES ARISING OUT OF OR RELATING TO THE MASTER AGREEMENT OR USE OF THE SERVICES. AVID’S AGGREGATE LIABILITY FOR ANY REASON AND FOR ALL CAUSES OF ACTION SHALL BE LIMITED TO THE FEES PAID BY THE CUSTOMER UNDER THE SO THAT IS THE SUBJECT MATTER OF THE CLAIM. AVID WILL NOT BE RESPONSIBLE FOR ANY LOSSES OR DAMAGES ARISING AS A RESULT OF THE UNAVAILABILITY OF THE SERVICE, INCLUDING THE INABILITY TO REACH 911 OR OTHER EMERGENCY SERVICES, SECURITY SYSTEM, MEDICAL OR OTHER MONITORING SERVICES.

J. Applicable Law

This MSA is subject to applicable law and the review and approval of the regulatory agencies with jurisdiction over the location in which Services are furnished. In the event a governmental agency determines this MSA or any portion violates any law, rule or regulation, Avid shall have the option of terminating this MSA without further obligation or revising this MSA to comply with such law, rule or regulation. If any portion of this MSA is determined to be invalid or unenforceable, the remainder of this MSA shall remain in full force and effect.

K. Entire Agreement

This this MSA and related SOs, including any terms, conditions and rates incorporated into the MSA or any SO, shall constitute the entire agreement of Avid Communications and Customer for the provision of Services and shall be a binding contract between them. By signing below, the signer certifies that he or she is at least 18 years of age and authorized to execute this MSA on behalf of Customer for the Services requested. Customer agrees that a fax copy of this MSA will have the same force and effect as an original signed agreement.

Customer Signature

Damien Boley

Printed Name

Mayor

Title

107 W. Main Street

Address

Smithville

City

MO

State

64089

Zip

Avid Signature

Printed Name

Title



Board of Aldermen Request for Action

MEETING DATE: 5/7/2024

DEPARTMENT: Administration

AGENDA ITEM: Resolution 1350, Approval of the Employee Compensation Plan Amendment

REQUESTED BOARD ACTION:

Approval of Resolution 1350, adopting amendments to the Employee Compensation Plan.

SUMMARY:

The Employee Compensation Plan sets the pay scale and includes job descriptions for all city positions. Included in the packet is an updated pay grade schedule to regrade the Utilities Operations Manager and Water Treatment Plant Manager Positions.

As the Public Works Department anticipates the retirement of the Utilities Superintendent, staff evaluated the structure of the Utilities Division of the Public Works Department. Per recommendation of the Public Works Director, job duties of the Utilities Superintendent have been distributed to the Utilities Operations Manager and Water Treatment Plant Manager for their assigned crews. As proposed, they will now report to the Public Works Director and have an increased job capacity. The increased responsibility and management has prompted an adjustment to the pay grade for these positions, moving them from Pay Grade 50 to 55.

Additionally, this updated pay grade schedule removes the Police Officer and Detective positions from the compensation plan, as these positions are represented in the Non-Supervisory Sworn Police Officer Bargaining Unit. The agreement approved on March 19 sets the compensation plan for the bargaining unit.

PREVIOUS ACTION:

The Plan is revised annually for adjustments and changes.

POLICY OBJECTIVE:

Employee recruitment and retention.

FINANCIAL CONSIDERATIONS:

The CWWS Fund has anticipated salary savings to cover the pay grade adjustment.

ATTACHMENTS:

- Ordinance
- Resolution
- Staff Report
- Other: [Employee Compensation Plan](#)
- Contract
- Plans
- Minutes

Job Description- [Utilities Operation Manager](#)
[Water Treatment Plant Manager](#)

RESOLUTION 1350

A RESOLUTION ADOPTING AMENDMENTS TO THE EMPLOYEE COMPENSATION PLAN

WHEREAS, the City of Smithville has adopted and set forth the compensation in the City of Smithville for regular employees hereby known as the Employee Compensation Plan; and

WHEREAS, City staff, in open and public discussions with the Board of Aldermen, has made recommendations to the Board regarding the modifications for the following items of the existing Employee Compensation Plan:

- Regrade from Pay Grade 50 to Pay Grade 55 for the Utilities Operations Manager and Water Treatment Plant Manager Positions.
- Removal of Police Officer and Detective Positions to reflect the Non-Sworn Police Officers Bargaining Unit Agreement.

WHEREAS, the Board of Aldermen of the City of Smithville desires to adopt the changes to the existing Employee Compensation Plan which should be followed by the City in the administration of the City's personnel program; and

WHEREAS, the Board of Aldermen of the City of Smithville wish to restate that the plan as amended is not intended to be a contract between the City and its employees and does not create contractual rights for employees.

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

THAT the existing policies and procedures as amended are the policies and procedures which should be followed effective May 8, 2024, by the City in the administration of the City's personnel program.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 7th day of May 2024.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

MEETING DATE: 5/7/2024**DEPARTMENT:** Administration**AGENDA ITEM:** Resolution 1351, approving changes under the Missouri Local Government Employees Retirement System

REQUESTED BOARD ACTION:

Motion to approve Resolution 1351, approving changes under the Missouri Local Government Employees' Retirement System.

SUMMARY:

At the March 5 Work Session, staff presented the 3-month FY2024 Budget performance for the General Fund. As discussed during the FY2024 Budget development, staff proposed revisiting the city's LAGERS defined benefit retirement plan. Information regarding this change was included in the City Administrator's report on March 19. Currently the City is enrolled in the L-7 (1.5% benefit multiplier) program. Based on Board of Aldermen direction, staff is recommending adjusting the program level to L-12 (1.75% benefit multiplier).

Changes to the retirement plan are outlined by statute and require a supplemental actuarial valuation. This study has been requested and received. Statute further requires that the valuation be made available for public inspection for at least 45 calendar days before the Board may take action to approve a resolution adopting proposed changes. The document was available on the City's website beginning Wednesday, March 20. This resolution formally adopts these changes. If approved, the change to the retirement program level will be effective July 1.

PREVIOUS ACTION:

Board discussion during FY2024 budget discussions and revisited at the FY2024 Q1 Budget Update.

POLICY ISSUE:

Employee recruitment and retention.

FINANCIAL CONSIDERATIONS:

Funds to cover changes to the retirement program would require a budget amendment of \$36,000.75 to the General Fund, and \$12,078.81 CWWS 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 checked="" type="checkbox"/> Other: Supplemental actuarial valuation | |

RESOLUTION 1351

A RESOLUTION APPROVING CHANGES UNDER THE MISSOURI LOCAL GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM

WHEREAS, the Board of Aldermen of the City of Smithville has complied with the notice and filing requirements of Section 105.675 RSMo; and

WHEREAS, the City Council of the City of Smithville understands that, by adopting this benefit change, the City Council of the City of Smithville is accepting the legal obligation to fund the elected benefits now and in the future and that it will be financially able to do so; and

WHEREAS, the fiscal officer of the City of Smithville is authorized to deduct from the wages or salaries of each employee member, the employee contributions, if any, required by Section 70.705, RSMo, and to promptly remit such contributions to LAGERS, along with the employer contributions required by Sections 70.705, 70.730, and 70.735 RSMo.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Smithville, an employer under the Missouri Local Government Employees Retirement System (LAGERS), hereby elects the following:

- To adopt a change in the Benefit Program of covered employees, changing to Benefit Program L-12 in accordance with 70.655 RSMo.

The City Clerk shall certify this election to the Missouri Local Government Employees Retirement System within ten days hereof. Such election shall be effective the first day of July 2024.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 7th day of May 2024.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



Board of Aldermen Request for Action

MEETING DATE: 5/7/2024

DEPARTMENT: Public Works

AGENDA ITEM: Resolution 1352 - A Resolution authorizing Amendment No. 1 of Authorization No. 94 with HDR Engineering, Inc. for Force Main Bypass of 144th Street Pump Station.

REQUESTED BOARD ACTION:

A motion to approve Resolution 1352, authorizing Amendment No. 1 of Authorization No. 94 with HDR Engineering, Inc. for the design of an alternate alignment of the Force Main Bypass of 144th Street Pump Station in the amount of \$29,920.

SUMMARY:

In October of 2021 the Board approved Resolution 987 authorizing the engineering design of the west force main bypass of the 144th Street pump station.

The City acquired 12 of the 16 easements necessary for the project. In early 2023 the City could not reach agreements with four of the parcels and began the eminent domain process. Recently, the City has settled with three of those properties, however one property remains unresolved. An alternative alignment which would not require use of the property in question has been identified. The City has contacted the owners of the properties along the new proposed alignment, and they are willing to work with the City on easements in order bring this project to fruition.

Amendment No. 1 provides for the design of an alternate alignment of the force main.

The revised project schedule includes:

- Anticipated Notice To Proceed (NTP) 05/08/2024
- City/Property Owner confirm preferred alignment
- Finalize Survey 45 days after NTP & alignment confirmed
- Resubmit MDNR Construction Permit 15 days after finished survey
- Updated Easement Descriptions to City 15 days after finished survey
- Advertise for Bid 15 days after MDNR approval
- Anticipated Construction Estimated 300 calendar days after Contractor NTP

The cost for the new alignment design is \$29,920.

PREVIOUS ACTION:

Board Approved Res 987, Approving Authorization No. 94 – Design services

POLICY ISSUE:

Infrastructure Maintenance, Community Oasis

FINANCIAL CONSIDERATIONS:

This project is included in the 2023 CIP

ATTACHMENTS:

- Ordinance
- Resolution
- Staff Report
- Other: Alternate Alignment
- Contract
- Plans
- Minutes

RESOLUTION 1352

A RESOLUTION AUTHORIZING AMENDMENT NO. 1 OF AUTHORIZATION NO. 94 WITH HDR ENGINEERING, INC. FOR THE DESIGN OF AN ALTERNATE ALIGNMENT OF THE FORCE MAIN BYPASS OF 144TH STREET PUMP STATION IN THE AMOUNT OF \$29,920

WHEREAS, the City maintain a waste water collection system for the sanitary collection and treatment of the City's wastewater needs; and

WHEREAS, the 144th Street pump station and the force main bypass are necessary improvements to the City wastewater collection system providing continued service and additional capacity for the City's future growth; and

WHEREAS, the City approved Resolution 987 on October 19, 2021 authorizing the design phase services of Authorization No. 94; and

WHEREAS, acquisition of easement for the project has been challenging and an alternate alignment is desired: and

WHEREAS, HDR has developed Amendment No. 1 in an amount of \$29,920 for the additional design services needed.

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

THAT the Mayor is hereby authorized to execute Amendment No. 1 to Authorization No. 94 with HDR Engineering, Inc. for additional design services in the amount of \$29,920.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 7th day of May, 2024.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

AMENDMENT NO. 1 TO AUTHORIZATION NO. 94
TO
AGREEMENT BETWEEN
CITY OF SMITHVILLE, MISSOURI
AND
HDR ENGINEERING, INC.
FOR
PROFESSIONAL ENGINEERING SERVICES

FORCE MAIN BYPASS OF 144TH STREET PUMP STATION

The City has identified the need for a regional pump station in the southeast portion of the City. A regional pump station will be sized to serve future growth and allow for the decommissioning of the existing Hills of Shannon pump station and future removal of the Forest Oaks Subdivision flow from the Kansas City Rocky Branch Wastewater Treatment Plant (KC WWTP). A pump station will be installed on 144th Street east of HWY 169 and associated force main running approximately 11,900 LF northwest to an existing manhole on Cliff Drive.

In accordance with Section 1.A. of the December 18, 2003, Agreement, ENGINEER is hereby authorized to assist the City with the topographic survey, environmental survey, site investigation, design, preparation of construction documents, bidding assistance, and construction administration for the project.

Amendment Number 1 expands the original scope of the project to evaluate alternate alignments of the force main north of Hwy 92 from Station 106+00 of the current drawings to its discharge to the gravity sewer near Cliff Drive. The original alignment beyond this point is encumbered by an existing well and property acquisition challenges. Potential alternate alignments (red, green, and blue) are shown in the figure below along with the original alignment (cyan). The alternate alignment is anticipated to extend from the original alignment approximately 1,850 LF to an existing gravity sewer where it will be connected by a new doghouse manhole.



The Scope of Services will more specifically include the following project improvements & tasks.

SCOPE OF SERVICES

Tasks 1 through 7 – Part of the Original Work Authorization 94 – Original Scope

Task 8. Additional Topographic Survey

1. Topographic and utility survey – Additional topographic and boundary survey for one (1) City/Owner selected alternate alignment shown above.
2. Easement descriptions and exhibits – Additional Guaranteed Title Reports (GTR), easement descriptions and exhibits for up to two (2) properties.

Task 8 Deliverables: Easement description and exhibits

Task 9. Additional Design (Alternate Alignment)

1. Alternate alignment evaluation – HDR will provide an exhibit with up to three (3) alternate alignments to the City to evaluate with the existing property owners.
2. Update Plans & Specifications – After the City confirms the preferred alternate alignment, HDR will incorporate the update route into the plans and specifications.
3. Opinion of Probable Construction Cost (OPCC) – HDR will update the OPCC to include the revised alignment.
4. Internal QC Review – HDR will perform an internal quality control review on the final plans, project manual, and OPCC additions.
5. Resubmit MDNR Construction Permit – HDR will resubmit sewer construction permit to MDNR.
6. Submit MDNR Land Disturbance Permit – HDR will submit a land disturbance permit to MDNR including developing a Stormwater Pollution Prevention Plan (SWPPP) and Erosion Sediment Control (ESC) plan adjusted for the alternate alignment.
7. Finalize Plans & Specifications – HDR will incorporate comments from the City and MDNR regarding the revisions and finalize the Plans & Specifications for Bid.
8. Overall Project Management – Perform project management, scheduling, invoicing, and cost control for the project.

Task 9 Deliverables: Resubmit MDNR construction permit, Submit MDNR land disturbance permit, and final plans and specs.

Project Assumption

1. The City will coordinate with owners of private property to provide access for consultant's staff.
2. The City will attain any appraisals necessary and will negotiate with and obtain easements from the property owners.
3. The City and property owner(s) shall confirm preferred alignment prior to field survey.
4. The City will provide construction observation and will review results of any testing during construction.

5. The project will only be bid one time.
6. HDR will not acquire additional geotechnical investigation for the alternative alignments. These can be included as added services if it is deemed necessary.
7. New alignment will impact wooded areas. Tree clearing shall be restricted to the period between November 1 and March 31 to avoid disturbing endangered bats under the Endangered Species Act. No additional permitting is anticipated for USACE or SHPO.

Anticipated Project Schedule

| | |
|---|--|
| Anticipated NTP | 05/08/2024 |
| City/Property Owner confirm preferred alignment | |
| Finalize Survey | 45 days after NTP & alignment confirmed |
| Resubmit MDNR Construction Permit | 15 days after finished survey |
| Updated Easement Descriptions to City | 15 days after finished survey |
| Advertise for Bid | 15 days after MDNR approval |
| Anticipated Construction | Estimated 300 calendar days after Contractor NTP |

FEE

The CITY shall compensate ENGINEER for the Force Main Bypass of 144th Street Pump Station in an amount not to exceed \$375,970.00.

| | |
|----------------------------|---------------------|
| Original NTE: | \$346,050.00 |
| Amendment No. 1 | <u>\$ 29,920.00</u> |
| Total Contract NTE: | \$375,970.00 |

This AUTHORIZATION shall be binding on the parties hereto only after it has been duly executed and approved by the CITY and ENGINEER.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this AGREEMENT in duplicate on the respective dates indicated below.

(SEAL)

CITY: SMITHVILLE, MISSOURI

BY:

Damien Boley

Type or Print Name

TITLE: Mayor

DATE: May 7, 2024

(SEAL)

ENGINEER: HDR Engineering, Inc

BY:



Cory Imhoff, P.E

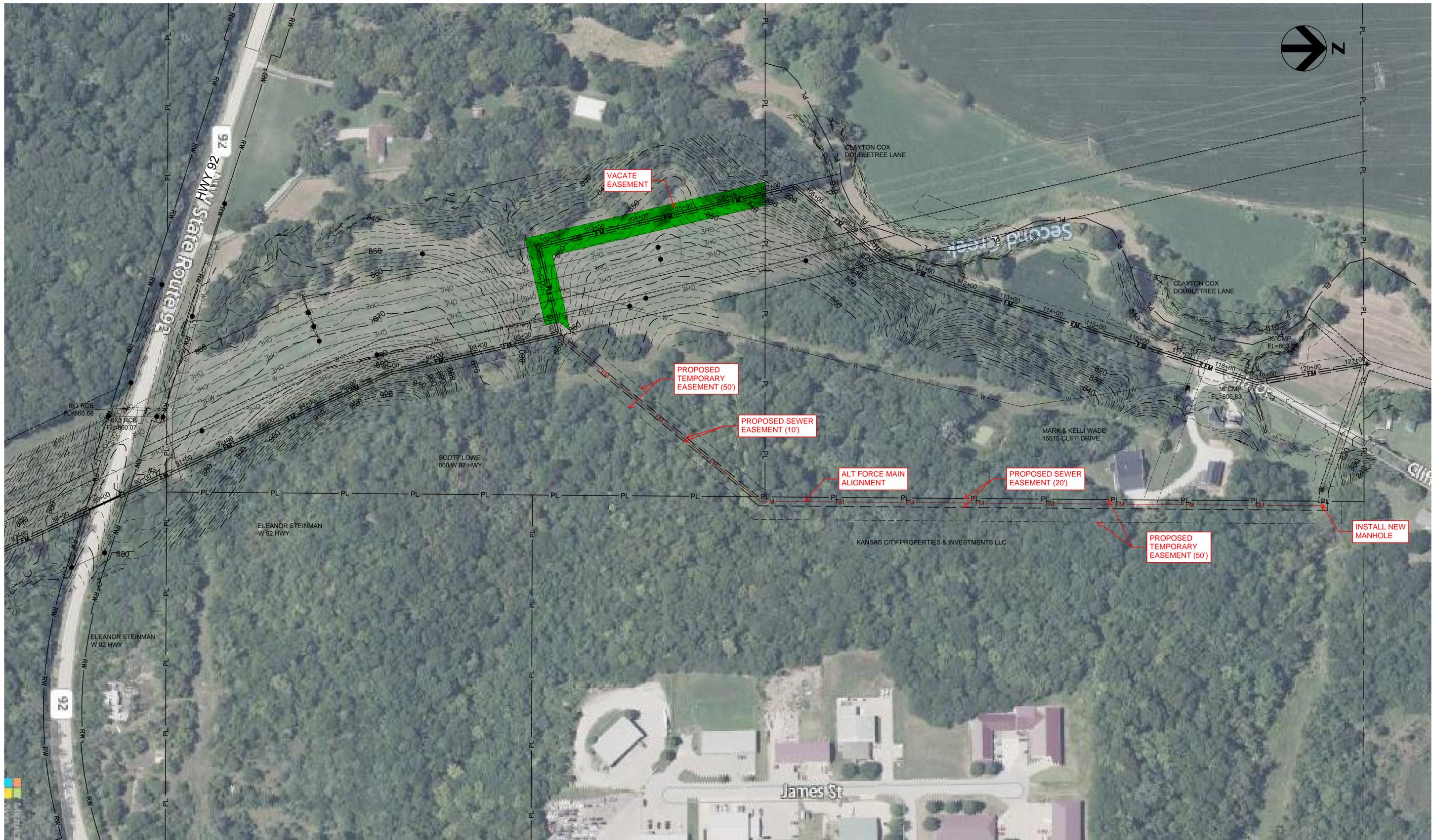
TITLE: Senior Vice President

DATE: Apr 23, 2024

HDR Engineering, Inc.
2024 Hourly Billing Rates
Effective through 12/31/2024

Billing rates will be updated on an annual basis. Employees may move within categories at any time throughout the year based on any salary adjustments incurred by employees. The rates listed below do not include reimbursable expenses.

| Description | Billing Rate/Hour |
|--|--------------------------|
| Technical Specialist II/Senior Project Manager III | \$325 |
| Technical Specialist I/Senior Project Manager II | \$300 |
| Senior Project Manager I | \$280 |
| Project/Design Manager IV | \$235 |
| Project/Design Manager III | \$210 |
| Project/Design Manager II | \$185 |
| Project/Design Manager I | \$165 |
| Engineer/Architect/Designer VIII | \$275 |
| Engineer/Architect/Designer VII | \$260 |
| Engineer/Architect/Designer VI | \$235 |
| Engineer/Architect/Designer V | \$205 |
| Engineer/Architect/Designer IV | \$180 |
| Engineer/Architect/Designer III | \$155 |
| Engineer/Architect/Designer II | \$140 |
| Engineer/Architect/Designer I | \$130 |
| Cadd/BIM Manager | \$225 |
| Model Manager/Cadd/GIS Technician VI | \$195 |
| Cadd/GIS Technician V | \$175 |
| Cadd/GIS Technician IV | \$155 |
| Cadd/GIS Technician III | \$140 |
| Cadd/GIS Technician II | \$115 |
| Cadd/GIS Technician I | \$100 |
| Environmental/Water Quality Scientist/Modeler V | \$250 |
| Environmental/Water Quality Scientist/Modeler IV | \$210 |
| Environmental/Water Quality Scientist/Modeler III | \$180 |
| Environmental/Water Quality Scientist/Modeler II | \$140 |
| Environmental/Water Quality Scientist/Modeler I | \$120 |
| Survey Manager | \$190 |
| Construction Manager | \$220 |
| Survey Technician/Construction Inspector V | \$185 |
| Survey Technician/Construction Inspector IV | \$160 |
| Survey Technician/Construction Inspector III | \$140 |
| Survey Technician/Construction Inspector II | \$120 |
| Survey Technician/Construction Inspector I | \$100 |
| Public Involvement/Communications/Graphic Designer IV | \$210 |
| Public Involvement/Communications/Graphic Designer III | \$175 |
| Public Involvement/Communications/Graphic Designer II | \$150 |
| Public Involvement/Communications/Graphic Designer I | \$125 |
| Engineering Support Staff III | \$165 |
| Engineering Support Staff II | \$130 |
| Engineering Support Staff I | \$105 |
| Admin Assistant | \$90 |
| Direct Expenses | |
| Personal Vehicle Mileage | CURRENT IRS RATE |
| Fleet Vehicle Mileage | \$0.75/mile |
| Printing | AT COST |
| Travel | AT COST |
| Subconsultants | AT COST |



**OFF SITE FORCE MAIN
ALTERNATE ALIGNMENT**

SCALE: 1" = 100'

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Board of Aldermen Request for Action

MEETING DATE: 5/7/2024

DEPARTMENT: Parks and Recreation

AGENDA ITEM: RES 1353 - Emerald Ridge Park and Playground Project Awarded to Athco, LLC.

REQUESTED BOARD ACTION:

Motion to approve Resolution 1353, awarding the Emerald Ridge Park and Playground Project to Athco, LLC. in an amount not to exceed \$450,000.

SUMMARY:

The Parks and Recreation Master Plan outlines the initial phase of upgrading neighborhood parks, with Diamond Crest and Emerald Ridge Parks being the primary focus in the first three years. The development of Emerald Ridge Park received a budget allocation of \$450,000 from the FY24 parks and stormwater sales tax fund for the design, construction and equipment installation for the project. Located behind Heritage Tractor off South Commercial and Kelly Drive, Emerald Ridge Park has been of focus for the Parks and Recreation Department due to the aging of the play equipment and it was falling apart.

Since January 2023, the Parks and Recreation Committee and staff have pursued funding avenues and engaged with design firms to conceptualize the park's layout and aesthetics. Despite an unsuccessful bid for a Land and Water Conservation Fund (LWCF) grant in July 2023, efforts continued. By September 2023, two design firms, Athco and Kompan, presented initial concepts to the Parks and Recreation Committee, incorporating subsequent feedback into revised designs by October.

A public meeting was held on January 16, 2024, at the Smithville Senior Center to gather community input. The neighborhood got a door hanger notifying them of this meeting. We also posted on Next Door for them and the surrounding subdivisions to join and provide feedback online. Although attendance was modest, valuable insights were collected. There were no comments online. On January 25, 2024, the Parks and Recreation Committee reviewed all comments received, directing specific suggestions to each design firm.

Athco's design received feedback regarding the need for additional equipment catering to 2.5-5-year-olds, more interactive elements, swings, and adjustments to the main structure for enhanced sensory experiences. Meanwhile, Kompan was advised to reconsider the shelter design, incorporate swings, and modify the main structure to include alternative play elements.

Further modifications were discussed at the February meeting, such as considering future shade provision and optimizing paths to minimize costs. On April 23, 2024, both design firms presented their final proposals, deciding in the Parks and Recreation Committee unanimously recommending Athco's design to the Board of Aldermen. The chosen design, construction and equipment installation for the project will not exceed \$450,000 and will be procured through the Greenbush Purchasing Cooperative.

PREVIOUS ACTION:

POLICY OBJECTIVE:

Click or tap here to enter text.

FINANCIAL CONSIDERATIONS:

The FY24 Parks and Stormwater Sales Tax budget includes \$450,000 for the development of Emerald Ridge Park.

ATTACHMENTS:

- Ordinance
- Resolution
- Staff Report
- Other: [Park and Playground Design](#)
[Design Overview](#)
[Cost Sheet](#)
- Contract
- Plans
- Minutes

RESOLUTION 1353

**A RESOLUTION AWARDING THE EMERALD RIDGE PARK AND
PLAYGROUND PROJECT TO ATHCO, LLC. IN AN AMOUNT NOT
TO EXCEED \$450,000**

WHEREAS, the improvements to Emerald Ridge Park were included in the Parks and Recreation Master Plan; and

WHEREAS, the Parks and Stormwater Sales Tax includes funds for the park and playground project; and

WHEREAS, the City Code Section 105.080.C authorizes staff to utilize cooperative purchase agreements; and

WHEREAS, the design of the improvements has been reviewed by the Parks and Recreation Committee and neighborhood residents; and

WHEREAS, The Parks and Recreation Committee and Staff have made a recommendation to approve the project by Athco, LLC., through the cooperative purchasing agreement with Greenbush Purchasing Cooperative.

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

THAT staff is hereby authorized and directed to purchase said Park and Playground project from Athco, LLC., not to exceed \$450,000.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, on the 7th of May 2024.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk