SMITHVILLE BOARD OF ALDERMEN
REGULAR SESSION

August 18, 2026, 7:00 p.m.
City Hall Council Chambers and Via Videoconference

1. **Call to Order**

Mayor Boley, present, called the meeting to order at 7:36 p.m. following the work session. A quorum of the Board was present: Marv Atkins, Kelly Kobylski, Melissa Wilson, Dan Hartman and Leeah Stone.

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

City Attorney present: Padraic Corcoran.

2. **Pledge of Allegiance lead by Captain Trevor Ballard**

3. **Consent Agenda**

- **Minutes**
  - August 4, 2026, Board of Aldermen Work Session Minutes
  - August 4, 2026, Board of Aldermen Regular Session Minutes

- **Finance Report**
  - Finance Report for July 2026

- **Resolution 1608, Leak Adjustment**
  A Resolution approving a water and wastewater leak adjustment request for Randy Kienzle in the amount of $279.55.

- **Resolution 1609, Annual Fireworks Sole Source Contract Renewal**
  A Resolution approving a sole source Fireworks Display contract with Premier Pyrotechnics.

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

No discussion.

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

REPORTS FROM OFFICERS AND STANDING COMMITTEES

4. **Committee Reports**

Alderman Wilson reported on the August 11 Planning and Zoning Commission meeting. They discussed and approved two of the items on the agenda this evening, a rezoning request, plat approval and a conditional use permit for a battery storage facility, and the Clay Creek Meadows conception plan. Alderman Wilson also reported that following the discussion of the

Whispering Creek Farms plat at 4200 Northeast 144th Street, the Planning and Zoning Commission postponed the item for consideration at a October meeting.

Chief Lockridge announced the promotion of Trevor Ballard to the rank of Captain and gave a summary of his background and experience.

Captain Trevor Ballard's wife Lani Ballard pinned on his captain badge.

Figure 1 Captain Ballard and his wife Lani Ballard

Mayor Boley called for a short recess at 7:40 p.m. The meeting reconvened at 7:49 p.m.

5. City Administrator's Report
Cynthia Wagner noted the City Administrator's report is in the packet. Cynthia recognized recent staff promotions including Trevor Ballard to captain in the police department and the promotion of Levi DeDonder to Streets Crew Leader.

Cynthia noted the upcoming public forums for the City's strategic planning process and encouraged both community members and governing body members to participate.

The September 15 Board of Aldermen meeting has been cancelled due to the Missouri Municipal League annual conference that the Mayor and Board will be attending. The meeting is rescheduled for September 29.

ORDINANCES & RESOLUTIONS

6. Bill No. 3126-26, FY2026 Budget Amendment No. 7 – 1st & 2nd Reading
Alderman Atkins moved to approve Bill No. 3126-26, amending the FY2026 budget to add $144,000 to the General Fund expenditure budget and $10,000 to the Capital Improvement Sales Tax Fund expenditure budget. 1st reading by title only. Alderman Hartman seconded the motion.

No discussion

Upon roll call vote:
Alderman Stone - Aye, Alderman Hartman – Aye, Alderman Kobylski - Aye,
Alderman Wilson – Aye, Alderman Atkins – Aye.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 3126-26 approved for first reading.

Alderman Atkins moved to approve Bill No. 3126-26, amending the FY2026 budget to add $144,000 to the General Fund expenditure budget and $10,000 to the Capital Improvement Sales Tax Fund expenditure budget. 2nd reading by title only. Alderman Hartman seconded the motion.

No discussion.

Upon roll call vote:
Alderman Hartman - Aye, Alderman Atkins - Aye, Alderman Stone – Aye,
Alderman Kobylski - Aye, Alderman Wilson – Aye.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 3126-26 approved.

7. Bill No. 3127-26, Rezoning, Plat Approval & Conditional Use Permit – AYPA Battery Storage – 1st Reading

Alderman Atkins moved to approve Bill No. 3127-26, approving a plat, changing the zoning from B-3 to I-1 and granting a Conditional Use Permit to AYPA Power for a Battery Energy Storage Facility at 14600 North 169 Highway. 1st reading by title only. Alderman Hartman seconded the motion.

Penny Huff, 2120 County Road KK, opposed the proposed battery storage facility, citing a recent lawsuit against NextEra related to a thermal runaway fire at another site. She expressed concerns that toxic chemicals, including PFAS, could contaminate groundwater, nearby waterways, and agricultural land if a fire occurred. Ms. Huff also warned that firefighting efforts, smoke, ash, and possible battery explosions could create long-term environmental and public health risks for nearby residents and farms, with some impacts potentially not becoming apparent for years.

Ganesh Gupta, 17422 Thomas Lane Road, expressed concerns about approving the conditional use permit for the battery storage facility without a clear long-term decommissioning plan. He questioned who would be responsible for removing the batteries and managing any hazardous materials at the end of the facility's lifespan, especially if the company were to face financial difficulties or cease operations. Dr. Gupta also raised concerns about the long-term viability of the AI and data center industry that could support such projects.

Dr. Gupta urged the Board to require detailed plans for site closure, environmental protection, and financial responsibility to ensure the community would not be left with a contaminated or abandoned site. He noted that the company has the financial resources to address these questions and should provide clear assurances regarding future cleanup, containment, and remediation efforts.

Lori Chapman, 14601 Mount Olivet Road, urged the City to delay approval of the proposed battery storage facility. She noted that it may not fit Smithville's character and raises safety concerns. Ms. Chapman said that there would be risks such as battery fires, toxic emissions, explosions, and possible contamination of water and soil. She asked the Board to slow the process and conduct further review before approving the rezoning and conditional use permit.

Staff responded to the concerns about site cleanup and long-term responsibility for a proposed battery storage project and explained that a reclamation bond will be required to ensure the site is restored when operations end. The bond will cover costs such as removing batteries and remediating the property, which will be reviewed and adjusted every five years based on updated cost estimates and can be used by the city if the owner fails to perform the cleanup. The required bond amount is expected to exceed $1 million, the amount will be finalized at a later date. Staff clarified that the bond would remain in place until the site is fully restored and would include environmental remediation requirements.

Alderman Atkins voiced his concern that Missouri currently has only a few operating facilities of this type, with many others still proposed or rejected, and no other city appears to have multiple projects concentrated in one location. While he was supportive of the first battery storage facility, he was unsure about a second facility coming so quickly. Alderman Atkins said he worried the City may be moving too fast without fully understanding the long-term impacts.

Staff clarified that both companies began the application process around the same time and were effectively moving through development in parallel, although one advanced through the process more quickly. Staff noted that the projects are being attracted to Smithville because the City has major electrical infrastructure, including transmission lines and substations. Many communities do not have access to this level of transmission capacity, making Smithville a logical location. Staff explained that both proposed sites are located near major transmission corridors and substations, including lines running near the site.

Upon roll call vote:
Alderman Wilson - Aye, Alderman Atkins - No, Alderman Hartman – Aye,
Alderman Stone - Aye, Alderman Kobylski – Aye.

Ayes – 4, Noes – 1, motion carries. Mayor Boley declared Bill No. 3127-26 approved for first reading.

8. Bill No. 3128-26, Clay Creek Meadows Conceptual Plan – 1st Reading

Alderman Atkins moved to approve Bill No. 3128-26, approving the Conceptual Plan for Clay Creek Meadows subdivision. 1st reading by title only. Alderman Hartman seconded the motion.

No discussion.

Upon roll call vote:
Alderman Atkins - Aye, Alderman Kobylski – Aye, Alderman Stone - Aye,
Alderman Wilson – Aye, Alderman Hartman – Aye.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 3128-26 approved for first reading.

9. **Resolution 1610, Award Bid No. 26-10, Concrete/Crack Seal Repairs**
Alderman Atkins moved to approve Resolution 1610, awarding Bid No. 26-10 to Southwinds Contracting, LLC for concrete repairs in the amount not to exceed $29,000. Alderman Hartman seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 1610 approved.

10. **Resolution 1611, Award Bid No. 26-12, Raintree Waterline Replacement**
Alderman Atkins moved to approve Resolution 1611, awarding Bid No. 26-12 to Menke Excavating, LLC for the Raintree Waterline Replacement in an amount of $117,630. Alderman Hartman seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 1611 approved.

11. **Resolution 1612, Amending Bid No. 26-04, Asphalt Improvement Projects**
Alderman Atkins moved to approve Resolution 1612, amending Bid No. 26-04 Forest Oaks Improvement Project to include overlay of Heritage Park parking lot overlay in the amount not to exceed $110,000. Alderman Hartman seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 1612 approved.

12. **Resolution 1613, Addendum to Agreement with Navigate**
Alderman Atkins moved to approve Resolution 1613, approving Task Order Number TO2 to the Master Services Agreement with NAVIGATE Building Solutions, LLC to complete a Financial Viability Study updating facility needs review. Alderman Hartman seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 1613 approved.

OTHER MATTERS BEFORE THE BOARD

13. **Public Comment**
Austin Armstrong, 17702 North 169 Highway, asked the Board to consider keeping the School Resource Officer (SRO) program and unban Kristine Bunch.

Penny Huff, 2120 County Road KK, suggested that the City slow down and consider a one-year moratorium on new data centers and future battery energy storage facilities. She said that this pause would give the Board time to better evaluate the environmental impacts of such developments on Smithville. Ms. Huff expressed concerns about regional water usage, noting that large data center projects near Smithville rely on municipal water infrastructure connected to the Kansas City water system, which draws from sources including the Missouri River, Smithville Lake, and the Platte River Basin. She noted the importance of protecting local water resources, Smithville Lake and the community's rural character.

Mark Krokstrom, 109 West Pine Street, inquired about ALPR or Flock cameras.

Mayor Boley informed him that the City does not have those types of cameras in the proposed budget.

Lori Chapman, 14601 Mount Olivet Road, spoke in support for the SRO program. She hoped the Board, the school board, and the superintendent could work together successfully to move the program forward. Ms. Chapman noted she used to work at the school and spoke of an experience involving a child who was the victim of a crime. She explained how positive interactions with law enforcement helped provide comfort and reassurance during recovery. Ms. Chapman noted that SROs contribute more than security, serving as trusted and supportive figures for students.

14. New Business from the Floor

Alderman Wilson asked that staff with the City Attorney to bring an Ordinance forward pertaining to banning the sale of kratom.

15. Adjournment to Executive Session Pursuant to Section 610.021(1&12)RSMo.

Alderman Hartman moved to adjourn to Executive Session Pursuant to Section 610.021(1&12)RSMo. Alderman Kobylski seconded the motion.

Upon roll call:
Alderman Hartman – Aye, Alderman Atkins – Aye, Alderman Wilson – Aye,
Alderman Kobylski – Aye, Alderman Stone – Aye.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared the Regular Session adjourned to Executive Session at 8:26 p.m.

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Linda Drummond, City Clerk | Damien Boley, Mayor