

## **SMITHVILLE BOARD OF ALDERMAN**

### **WORK SESSION**

July 19, 2022, 5:00 p.m.

City Hall Council Chambers and Via Videoconference

#### **1. Call to Order**

Mayor Boley, present, called the meeting to order at 4:59 p.m. A quorum of the Board was present: Kelly Kobylski, John Chevalier, Ronald Russell, Marv Atkins, Dan Ulledahl and Dan Hartman.

Staff present: Cynthia Wagner, Anna Mitchell, Chief Jason Lockridge, Stephan Larson, Chuck Soules, Matt Denton, Jack Hendrix and Linda Drummond. John Reddoch, City Attorney and Megan Miller, Gilmore Bell were also present.

#### **2. Discussion of EDC Development Incentives**

Anna Mitchell, Assistant City Administrator, noted that beginning in September of 2021, the Economic Development Committee has reviewed the City's Economic Development Incentive Policy. The recommended changes made by the Economic Development Committee are additions they did not delete any of the current incentives. Anna explained that there are eight incentives available through the State of Missouri.

Megan Miller from Gilmore and Bell provided education and guidance on the incentives, allowing the Economic Development Committee to make informed decisions that are now before the Board. The Economic Development Committee only made additional recommendations to three of the incentives.

Neighborhood Improvement Districts (NIDs) are primarily used by pre-existing property owners, usually a small batch of them come together to finance improvements done in their neighborhood. For instance, they have a gravel road they want to have paved and need funding to pave said road or they have a water issue or a flooding issue. They can work together and create a district that then addresses their problem. An assessment is placed on their property taxes that is paid on an annual basis. Over time, those are then paid back, the neighborhood's initial funds are received through a bond process that are issued through the city.

The EDC's additional recommendation for NIDs is only to allow NIDs to be placed on pre-existing developments with individual lots separately owned, excluding new developments without individual ownership.

Anna explained that the thought process behind this recommendation is because there have been developments in the northland that have allowed NIDs on development before they are built on. If the developer loses the development those bonds are still the city's responsibility.

Community Improvement Districts (CIDs): the EDC recommends limiting the years a CID is allowed to be in place to 20 years and expressed a preference for the CID Board to be Developer controlled with City representation.

The third incentive recommendation is for the Tax Increment Financing, which we currently only have one for the Smithville Marketplace. This incentive impacts property and sales tax of all the jurisdictions within the area: such as the city, the school district, the library, the zoo and the county. The use of these funds is for land acquisition, structure demolition, public infrastructure, etc. They are currently at a maximum of 23 years.

Tax Increment Financing: The recommendations are as follows:

- 20% maximum on reimbursable Project Costs
- Outside public improvements highly recommended to be included in the project such as additional parking or public parking arrangement
- City to require approval of business types, emphasis on sales generating businesses.
- 15-year cap on overall timeline highly recommended
- Minimum total project Cost at \$1,000,000

Anna noted that any proposal brought to the city outside of those recommendations will not be turned away. They will be brought forward for discussion and negotiation. She explained that what this policy does is give developers an idea of what we are looking for.

Alderman Russell asked for clarification on the 15 years, if it was added on top of the 23 years?

Anna explained that the recommendation is to bring the 23-year maximum down to 15 years.

Mayor Boley thanked everyone for all their work on this project.

### **3. Discussion of Changes to Terms of Office**

Cynthia noted that Alderman Hartman requested earlier this year that staff research steps to change the term of office for elected officials. Linda Drummond, City Clerk provided a memo in the packet that outlines State Statute requirements. The position of Mayor can be for the term of two, three or four years. The position of Alderman can be for the term of two or four years.

Cynthia explained if the Board had a desire to change the term length of office, they would adopt an ordinance that would create ballot language, the sample ordinance is in the packet. Those ballot questions would then be put to the voters. A majority vote in support of each ballot question would approve that change.

The extended term would go into effect upon passage of an Ordinance acknowledging the election results. Anyone serving at the time or elected during that same election would serve out their current two-year term. Following adoption of the Ordinance those elected shall serve a four-year term.

Timing for Upcoming Elections:

- In order to place this on the November 8, 2022, General Election ballot, the language would have to be certified by August 30, 2022.

- In order to place this on the April 4, 2023 General Municipal Election ballot, the language would have to be certified by January 24, 2023

Alderman Hartman noted that other cities and municipalities have longer-terms for elected officials. He said he would like the Board to consider that lengthening the terms would establish a longevity of serving. Versus a two-year term where your first year you are basically trying to find your way, figuring out exact processes. The second year, which he is in now (and will be running for re-election), is when you figure out and become comfortable with the way the process should go. He noted he is simply asking the Board to consider the fact that a four-year term might be more favorable to possible candidates. He also noted that it would potentially save the City some money for election costs. He asked to hear the thoughts of the rest of the Board.

Alderman Atkins noted that he did see the need for consistency. He explained that he did a little research to see what other cities in our area have the extended four-year term. He found Gladstone, Lee's Summit and he believed Kansas City have the extended terms in place. He said that he could see the advantages of it.

Mayor Boley noted that it is somewhat difficult to get candidates to run every two years. It is not unusual for our candidates to run unopposed.

Alderman Russell agreed that the first year in office is a learning experience and he could definitely see the benefit from changing it. He noted that it seems there is always an election. He said his only concern would be term limit. He asked if anyone had considered putting a limit on how many consecutive terms an elected official could run. He noted that he would support the four-year terms with a two-term limit.

Alderman Chevalier agreed if it were changed to a four-year term there should be a two-term limit. He said after eight years it is time to let someone else in office to bring in fresh ideas.

Alderman Atkins suggested that staff move forward with the four-year term with a two consecutive term limit.

Alderman Hartman noted that he agreed with that. He asked that staff look into moving forward with the process needed for the four-year term and to look into what is needed to add the term limit.

Cynthia explained that she did not believe there is anything in the State Statutes concerning the term limit. She said that staff and legal counsel would confirm that information and bring it to the Board at the August 2 meeting. She asked if the Board would want to proceed with this for the November ballot or the April 2023 ballot?

Alderman Hartman noted that he would like it to be on the November 2022 ballot. He said he believed there would be a better turnout for that election. He asked if he understood correctly that elected official serving now would serve out the remainder of their two-year term and the candidates elected after the Ordinance was approved would then serve the four-year term.

Cynthia explained that if the ballot questions were in November, candidates elected in April 2023 would serve the four-year term. If the ballot questions were in April the candidates elected would only serve a two-year term. She explained that questions are if voted in by a majority vote would not go into effect until that Ordinance is certified by the Board later in that month.

Alderman Chevalier said that he was not willing to rush this and feels it should be put on the ballot of a municipal election.

Alderman Russell agreed with Alderman Hartman that more people will show up for the November election but is fine with either election date.

Alderman Kobylski noted she did not agree with the term limit. She said she was for the four-year terms.

John Reddoch, City Attorney, said that if both questions were posed to the voters they would be voting on terms and term limits as separate issues. He noted that the statute clearly states that with voter approval we can change the year terms of office. He also noted that that statutes says nothing about putting a limit on number of terms that can be served.

Alderman Hartman asked if he was correct that changing the Mayor's term from two years to three or four years would be a separate question on the ballot.

Cynthia said that was correct.

Alderman Hartman suggested that the question for changing the Mayor's term to four years be placed on the ballot as well.

Alderman Atkins said he would prefer that the ballot questions only be to change the term of the Mayor and Aldermen from two years to four years and not change the term limit at this time. He noted that if the constituents do not like you, they will not vote you back in.

Mayor Boley noted he was fine with the Mayor being two-year or four-year.

Alderman Kobylski said she was for four-year terms for Aldermen and Mayor and no term limit.

Alderman Russell, Alderman Ulledahl and Alderman Chevalier said four-year term with a two-term limit.

Cynthia noted that staff will have to clarify if a term limit can be done. She asked that the Board clarify which election date they preferred.

Alderman Atkins, Alderman Hartman, Alderman Kobylski, Alderman Ulledahl and Alderman Russell all agreed with the November 8 election.

Alderman Chevalier said he preferred the April election.

Cynthia noted that staff will work with the City Attorney to have clarification on the term limit for discussion on the August 2 work session. If staff is able to have language for the Ordinance prepared by the August 2 regular session, we will bring that forward for Board approval first reading and August 16 for second reading.

#### **4. Discussion of Senior Center Contract**

Matt Denton, Parks and Recreation Director, in 2020, the Board provided short-term guidance on the direction of the Senior Center to staff. Board direction was to have the Parks and Recreation Department manage the rentals of the facility, add more rental availability when the seniors were not using the facility and increase the fee to be more in line with other facility rentals in the area.

Since then, staff has worked to utilize the Senior Center more through rentals. In 2020, the Senior Center brought in around \$1,300 in facility rental revenue. In 2021, the Senior Center brought in \$4,000 facility rental revenue. It should be noted that the senior center was closed four months in 2021 due to COVID19. Staff predicts another significant increase in rental revenue in 2022. Through 8-months rental revenue totals \$3,430 with 4,500 in revenue projected by the end of the budget year.

Staff is bringing this discussion back to the Board as the Senior Center lease is up for renewal in 2023. Staff is seeking Board direction on the long-term direction of the senior center facility and lease.

The agreement allows for use of the building by the Smithville Senior Citizen Center from 9:00 AM to 4:00 PM Monday through Friday of each and every week for a rental fee of \$1 per year. Currently, the group uses the building Monday, Wednesdays, and Fridays for meals and activities. The building is used on Tuesday and Thursdays are for office hours. In the Senior Center there is an office, a room for a pool table and a storage room for senior's use only. Just last summer, staff was able to access these three rooms after a meeting with the Seniors to obtain the keys. The pool table room has two cabinets that store decorations and a pool table. The storage room holds leftover tables, shelves with holiday decorations, games, and candy. The office has a desk with a computer, WIFI, printer, and a filing cabinet.

The agreement requires the City to:

- maintain an insurance and a flood policy on the building.

The FY23 budget includes \$3,409 for insurance premiums.

- provide utilities services for the building, including gas and electricity

The FY23 budget includes \$3,300 for these utilities.

- repair and maintain the building

The FY23 budget includes \$480 for pest control and \$500 for miscellaneous repairs and maintenance.

- provide weekly janitorial services

The FY23 budget includes \$2,200 for janitorial services to be performed three times per week - Monday, Wednesday, and Friday evenings after meals are served in the building.

The agreement states that the Smithville Senior Citizen Center is responsible for telephone and internet. However, the City currently takes on those costs. The FY23 budget includes \$1,970 for those services.

Matt noted that in 2020 we discontinued the cable TV services for the building

The total FY23 expenditure budget for the Senior Center operations is \$11,842.

it has been recommended to us by Clay County Senior Services that we renew the contract in January rather than August as the contract states.

Matt explained that the City use the building outside of the 9 - 4 Monday through Friday for third party rentals. The current 3rd party rental rate is \$100 plus \$200 for deposit for weekly rentals and \$250 plus \$200 budget for weekend rental. The reservations are now done online through the Parks and Recreation rental software. In fiscal year 2020 City again offered weekday evening rentals and offered weekend rental of one reservation per day.

In fiscal year 2023 staff is predicting five rentals on the weekend and ten rentals during the week. Ten months of recurring rentals. With this prediction the City would recoup approximately \$4,000 of the \$11.842 operating expenses. The remaining \$7,842 would be funded through the general fund.

Matt asked for direction from the Board regarding what their goal is for the senior center.

- Is the Board satisfied with the changes that have been made to this?
- Staff is asking for feedback to the following related to the 2023 fiscal year budget:
- Should the time allocated to the seniors be limited to Monday, Wednesday and Friday from 9 – 2, and eliminate their office hours on Tuesdays and Thursdays?
- Do the seniors need specific rooms for billiards, office space and storage?
- Should their personal items such as the piano, bookshelves, etc. be removed?
- Are there any changes to expenses the Board would like to make?
- Would the Board want to cancel additional services?
- Does the Board desire to create additional youth, teen, adult or senior programming to take place in the facility?

Matt noted that staff has allocated funds to paint and purchase equipment to better the rental space. Staff is also managing the senior's grants by submitting their expenses to Clay County Senior Services. Staff also started senior fitness classes in 2021 that has been a huge success.

Alderman Atkins said that he liked the idea of offering more programming for youth and teens but not at the expense of the seniors losing their time by taking away or shortening the hours they have use of the building.

Matt explained that it is not unusual for the seniors to be done with their activities and gone from the building by 1:00 on Monday, Wednesday and Friday.

Mayor Boley noted that the seniors have a lot of complaints after some of the rentals about how the building is left and people to use their personal items. He said we need to be able to use the space and not have them upset every time it is used. He also noted he did not think it was in the agreement with Senior Services that they have a room for a pool table, an office and office hours. He asked why staff was doing the grant paperwork for the seniors?

Matt explained that in talking with Clay County Senior Services and they do not have any concerns with the building itself since it is the City's building. Clay County Services just manages the grant for the senior's expenses. How the building is used is up to the Board.

Mayor Boley asked how many rentals we turn away because they need it before 4:00?

Matt said he did not think it was too many. He explained that the need for use of the building prior to 4:00 is more for staff use for meetings and training.

Alderman Russell asked if a cleanup fee was charged for the rental? He also asked if it is cleaned the next day after a rental?

Matt explained that there is a \$200 deposit that is kept if the building is not returned to the way it was found. We do have a janitorial service that is a required expense to the City that cleans every Monday, Wednesday and Friday.

Alderman Russell asked who cleans after a rental on the other days?

Matt explained that staff is responsible. He noted that it is also the responsibility of the renter to leave the facility the way they found it.

Alderman Russell asked if we did need to keep the deposit are we able to get the cleaning service to come in and clean before the seniors use the building?

Matt said it would be on staff to clean it.

Alderman Russell asked if any of this was brought before the seniors to get their opinion?

Matt explained that staff wanted to get the Board's goals for the building before negotiating with the seniors on renewal of the lease.

Alderman Kobylski asked if the seniors had scheduled activities on Tuesdays and Thursdays or if they are just office use days.

Matt said occasionally a few will come in to play pool on those days.

Alderman Kobylski said she is for taking the Tuesdays and Thursdays away and using it for training and other purposes.

Alderman Chevalier agreed there could be a possibility for additional programming on Tuesdays and Thursdays for seniors. He also likes the idea of having additional programming for teens or using the building for youth in the late afternoons. Matt noted that staff is also looking for ways to make up the \$7,800 difference. To get more rentals and fee-based programming.

Cynthia noted that staffing needs is one of the things that will be included in the FY23 budget that will be provided to the Board. One of Matt's recommendation is the addition of Parks and Recreation Program Coordinator that would support of our Recreation Marketing Manager. That position would be someone who would come up with additional programming and could look at programming opportunities for the Senior Center. She noted that in her City Administrator's report during the regular session, she will explain the possibility for the opportunity of additional space.

Alderman Hartman noted his concern about the seniors losing some of their time and it is not the Board intent to displace them but would like to see it opened up to other community events. He agrees that our kids need things to do and some place to go. He understands the need for opportunities to create revenue to offset the cost. He said we are not here to make money but the loss of over \$7,800 is concerning.

Matt explained that we do not want to take time away from the seniors we are just looking for ways to use the space more effectively.

Mayor Boley noted that the library is no longer offering free room rentals for the Girl Scouts and other groups, so they are all looking for places to hold their meetings.

Matt explained that staff is allocating funds in the 2023 budget for painting and possibly some new equipment to make the space more appealing for rentals. He noted that it has not been updated since it was built in 2013.

Alderman asked concerning their personal items, could they be put on a rolling cart or rolling cabinet that could be put away?

Matt said the pool table, their decorations, piano and bookshelves are a large part of their personal items. He suggested making the pool room storage for them.

Matt asked if the Board is onboard with changing the senior's hours on Monday, Wednesday and Friday to 9-2? Eliminating their Tuesday and Thursday office hours? Moving their personal items out of the main area?

Alderman Russell said he was good with it. He asked what equipment staff is wanting to purchase?

Matt explained that staff would like to purchase better banquet tables, chairs and rolling carts.

Alderman Ulledahl, Alderman Kobylski, Alderman Chevalier all said they was good with it as long as it does not take away from the seniors programming but would like to see what feedback to the changes staff gets from the seniors.



Alderman Chevalier asked if it could still be called the Senior Center if they only get to use the building three days a week.

Cynthia said that is the longer-term discussion concerning the building. What do we want that building to be: more of a community building or senior focused? She noted that what she was hearing was a designated space for seniors that in the off time would be used for other purposes and maximize those purposes. She explained that staff has not gone to the seniors with this because we will be negotiating a new lease with them and wanted to know the Board's priorities first.

Alderman Chevalier said he would like to see programming be available to the seniors on Tuesdays and Thursdays.

Alderman Hartman said he would like to hear the feedback from the seniors. He noted that it could be a Senior Center and Community Center. He said we want to involve the community. Advertise it on the website to help produce additional revenue and open up the opportunity for other groups to use it.

Matt noted that the Parks and Recreation Master Plan has the Senior Center being more of a community building and offering more programming and activities for all.

Mayor Boley asked if there were still limitation on the kitchen use for rentals?

Matt said no rentals may use the kitchen as needed.

Mayor Boley said that if we were going to call it the Senior Center, the seniors should be held accountable to the lease terms.

Alderman Atkins said that if the seniors are not using the building after 2:00 then he would like to see the youth using it.

Matt noted that the current contract runs through August 2023, it has been recommended to us by Clay County Senior Services that we renew the contract in January rather than August as the contract states to be in the same timeline as the renewal of grants. He asked if the Board had any objections to the change?

The Board agreed to change contract renewal date to January.

## **5. Discussion of Sale or Lease of City Land**

Anna Mitchell gave a recap of the history of the issue of the sale of the Courtyard Park alleyway at 111 North Bridge Street. At the September 21, 2021 Work Session, staff presented three separate options on how to move forward with the submitted proposal. The Board directed staff to develop an RFP for the sale of the portion of land.

On December 2, 2021, staff provided the proposed RFP to the Board in a work session for further direction. The Board directed staff to post the RFP as presented. RFP #22-06 was posted on December 10, 2021 with a deadline date of January 3, 2022 at 10:00 AM. Staff received one bid from Kansas City Properties and Investments LLC in the amount of \$26,100.

On February 15, 2022, Bill No. 2933-22, Award of Bid No. 22-06 was placed on the action agenda to be approved on first reading. Following public comment and Board discussion, Bill No. 2933-22 failed, 1-4.

Since the February meeting, Alderman Hartman has requested that the item be placed on the agenda again for further considerations. To ensure all proper steps are taken, staff reached out to the City Attorney, and it was advised that if the item were to be placed on the agenda for a second time, the RFP should also be released a second time for any interested parties to submit a proposal.

To ensure that the Board wanted to continue, staff brought the reissuing of the RFP to the Board during the City Administrators report. From the discussion with the Board, it was requested that the options of how to handle the property be brought forward again.

Staff has consulted the City legal team and has formulated three possible paths forward on this proposal.

*Option 1: Lease the property: An RFP would be posted for the lease of the property and a bid process completed.*

*Pros*

- *Any improvement on the property would be accepted as City property at the end of any lease.*
- *Any structure built on the property would be subject to approval from the board*
- *If the restaurant and or owner no longer have an interest in the property, it will still remain the City's property*
- *Insurance and maintenance would be solely on the private business with the City listed as an additional insured.*
- *Revenue generated according to a lease agreement.*

*Cons*

- *The land is currently park land where alcohol is not permitted except on a temporary basis for short term events. To allow for the consumption of alcohol on the premises, our legal team would have to do further research as there is no clear way to allow it at this time.*
- *The construction of the patio will decrease parking and ease of accessibility to the parking behind the Courtyard Park Stage.*

*Option 2: Sale of property: An RFP would be posted for the sale of the property and a bid process completed.*

*Pros*

- *As the property would no longer be public land, the process of doing private business on public land would not be necessary.*
- *Revenue generated according to a purchase agreement.*

*Cons*

- *The City would not have any say, other than codes set by Planning and Zoning, on what happens with the property.*
- *The construction of the patio will decrease parking and ease of accessibility to the parking behind the Courtyard Park Stage.*
- *New property lot lines would need to be drawn to accommodate the sale.*

*Option 3: Do nothing/provide alternatives: Staff is willing to discuss other alternatives to a patio that is on that specific portion of land. Options may include using the space behind the building.*

*Pros*

- *Parking would not be decreased, access continues*

- *Existing space that is available is being used by the property owner*

*Cons*

- *If the property owner decides not to go with any of the alternatives, the outdoor dining feature would not be available for this restaurant.*

Anna noted that public correspondence received related to this item some in favor and some against that was included in this packet.

Mayor Boley noted that Kansas City Properties and Investments LLC that owns Humphreys also owns two- or three-foot width of the alleyway.

**Public Comment:**

Alicia Neth, 708 Quincy Boulevard, said that she is in favor of leasing or selling the land. She noted that the owners of Humphreys as well as the building owner have really done a great job with the downtown renovations. She said that the owners Humphreys restaurant, David and Tiffany Cox have help with almost every single event that they have done downtown. Anytime someone needs even the smallest thing they have been there. Alicia noted that everybody downtown works really well together. Alicia asked if there would be a stipulation or something in sales contract that says if it is sold, and the new owner does not want the outdoor area. She asked if there can be something in it that would limit what is done with it and not just leave the patio area to deteriorate? She noted that she has received a lot of good feedback from people who come into her store and from emails from friends.

Jennifer Bleche, 8 Sherry Court, said that she is in favor of leasing or selling the downtown property in the development of the Courtyard Park area. She said she has a business directly next door to Humphreys, and I am fully in favor of this development as her business partner. Jennifer noted that David and Tiffany Cox have supported this community since they open their doors. They fed the baseball team for every out-of-town game and have donated food and time to many teams and organizations. Shane Crees, owner of the Humphreys building, is also her landlord she noted he has been a wonderful property owner and he continues to invest his money into restoring a different buildings in downtown making much needed improvements. She believes as our community continues to grow and develop, we will need to continue to adapt and find ways to support existing businesses so that we make sure to keep as much spending as we can locally. Jennifer said that Dave and Tiffany have always been gracious business neighbors to us and have no doubt that they will be able to operate the outdoor space successfully without disrupting any current or future use of the Courtyard area.

Joel Schroeder, 1702 Northeast 197<sup>th</sup> Court, said that the letters that supported the sale or lease of Courtyard Park alleyway that were included in the packet came from people that are no longer residents or have never been residents of Smithville. He said that nine of the letters or messages included being at the lake on a boat, on the trails or fishing all day and would feel more comfortable eating outside. He said that if he had been outside all day all he would want to do is cool off. To him that did not make sense. He noted that one letter of support said it would be great and create a fun safe environment for teenagers to spend time with friends after school. His response was "Where they serve alcohol? Really?" Mr. Schroeder explained that he had email his

Aldermen and asked many questions concerning the sale of the land. He said that only one actually responded to any of the things he asked. He also noted that no one could forecast accurately what the additional revenue of this would be. He said that the best choice to increase the foot traffic in downtown Smithville is to provide a venue like Courtyard Park that is friendly to vendors. He said we should market the area for activities such as: art in the park, music, dance, new shows, children's activities and festivals to bring more people to town and increase the awareness of what we have.

David Cox, 111 North Bridge Street, explained that he is the owner of Humphreys Bar and Grill. He said that he and his wife absolutely love the community. They love everything about it and that is why they relocated one of their restaurants to this community. Smithville is growing and it does not have anything to do with what he is doing. He noted that with growth come need and outside dining is one of the things that Smithville is lacking. Mr. Cox said that they plan on continuing to support and donate to this community. Within the year he and his wife are planning to relocate to Smithville. He noted that they also own Cornwell that they are hoping to open within the next 30 days and if all goes as planned, they are hoping to open a third business in the city limits by the spring of next year. Some of the concerns are about parking, with this we will only be losing six parking spaces and a majority of the time his employees park in those six spaces. Safety is another factor two children have been hit by cars in that alleyway since Humphreys has been there. Mr. Cox said that most of the community is wanting an outside dining area and hopes that this item can be put back on the agenda and it passes so they can move forward.

Shane Crees, 13530 Mount Olivet, explained that he owned the building at 111 North Bridge Street where Humphreys is located. He said he thinks there is a need for outdoor dining in Smithville. The total of the space in question is 1,680 feet, a small portion of the park. He noted that his property line is three foot off the building in the alleyway. He explained that there would be added revenue for the City from the sale of the land, property tax and additional sales tax. He explained that this part of the alleyway is only the west portion and does not include the eastside.

Mayor Boley noted that one of the comments he had seen why was this not on the ballot. He explained that we did put this on the ballot in 2018 to renovate our downtown. We passed a bond and sales tax to do so and this fall in line with that. He explained the ballot issue enabled us to build patios for multiple businesses downtown. Mayor Boley also noted that we have somewhere around 33 downtown events booked this year. He explained that activities like art in the park is already part of our programming and is funded by a half cent sales tax.

Alderman Hartman explained that he was asked how an Alderman could bring an item back that was defeated. He said he learned from the City's legal counsel that elected officials can bring items back as many times as they like. He explained the reason he was not present when this was brought before the Board the first time was due to representing the City at the Missouri Municipal League meeting in Jefferson City. Alderman Hartman said that there were three reason why he supported this, economic development, property tax and the additional sales tax. He noted that he has no economic or personal interest in this, he just feels this is a good opportunity for our community. He thinks that David and his crew at Humphreys do a great job.

Alderman Hartman also said that if we have future opportunity to sell city land and we say no to one and yes to another we are establishing a very poor precedence for the City and the Board.

Alderman Chevalier noted he was not sure about not selling it setting a precedence. He said that he would like to see a lease be developed and look at that option. He noted that the discussion today is not approving anything, it is discussing putting out another RFP to look at what can potentially be out there. Everyone is assuming that Shane and David will be the only ones to bid on it again, but others could bid on it also. Alderman Chevalier said as far as leasing the land and them not being able to serve alcohol, there should be a way if it is allowed in other outdoor spaces. He noted that as far as losing parking spaces, if there is an event at the Courtyard the spaces are block off and people still find plenty of places to park downtown. He said as far as safety he would be for not allowing parking in those spaces at all.

Alderman Russell noted that he looked at the vision of the Strategic Action Plan that was developed in 2019 and the pros and cons of this as described and projected in the plan. One of the thing in the Strategic Plan was the Mayberry Gone piece which talks about the community protects small town feel and focuses on retaining more traditional values. He said that the retention of the small town feel and sense of community that Alderman Hartman mentioned should be a place where kids can go. He said that we should make that the focus for that small piece of land. He noted that the correspondence that he received from constituents most were not for this. He said that events use that piece of property to access the Courtyard. Alderman Russell said that the Courtyard is used by groups such as Homecoming, Fifth Quarter and Community in Action that group is anti-drug and anti-alcohol and he thinks that we are sending the wrong message. He said by no means is he against alcohol. Alderman Russell noted that there was a letter of support template that was circulated, and multiple people filled it out. He said that in good conscience he could not vote for the sale of this property. He said he did have an alternative solution, he proposed taking the parking spaces in front of Humphreys and extending the sidewalk to the bump out to allow for tables for outdoor dining.

Alderman Ulledahl said that he was not for selling the park land. He also does not think that it would set a precedent if we do not sell park land other property has different rolls in the community each should be looked at separately. His issue with this is that it is park land, and we use it. Events use it for loading and unloading. He noted that once we sell it, we cannot get it back. He said that a lease option is plausible but looks like it would be a lot of work. Alderman Ulledahl said that we do not need to sell it and a lease is not worth the burden of trying to work through every year. As far as the emails that he received and the ones in the packet he was not a fan of the template that went around. A lot of them from non-Smithville residents and most said the same things. He said no we should not sell it.

Alderman Atkins noted that he took advantage of the internet and posed the question to member of two HOA's in ward three. He said a lot of people responded to the question and primarily they were all positive. He noted that he also received the same emails as everyone else. He noted that he likes idea of continuing our vision and strategic plan that has already been voted on by the people. To make our downtown a private oasis or a functional community oasis and feels that this could be a benefit. He

also said he is not necessarily fond of selling it. He would like to see a lease agreement that could be worked out that is not going to be complicated.

Alderman Kobylski agreed with Alderman Hartman as to the potential revenue in property and sales tax. She thinks it is a smart business decision. She noted that she would like to see the lease option to not lose the land. She said she also received the same emails as everyone else, she also received verbal feedback from people in her ward who would like to see outdoor seating, especially due to COVID. Alderman Kobylski noted that even if the Board chose to do nothing with the park land, she feels that alleyway should be blocked off to vehicles because of the safety issues. She said as alcohol, she is on the Community in Action committee, she explained that seeing someone consume alcohol in the outdoor setting is no different then seeing the same thing in the indoor setting. She said she did feel that alcohol should even be a part of this conversation. She explained that Fifth Quarter is potentially five Fridays a year. She said there is still plenty of room to load and unload on the east side of alleyway. She noted that she supports our strategic plan and vision for our downtown area and thinks we should move forward with leasing or selling it.

Mayor Boley noted that he and his wife served on the Community in Action committee and put together the Fifth Quarter event because they had them in their hometowns. He explained that the Mayberry Gone was voted down in the strategic plan. We are working on the modern community oasis. Mayor Boley added that Mr. Cox has offered that area for use during Fifth Quarter if it is needed, he has always worked with events going on at the Courtyard.

Alderman Hartman added that part of the Parks and Recreation Master Plan we are moving forward to create a wonderful amphitheater at Heritage Park. He explained that it will be better for acoustics, better for gathering and parking. He noted that it would be an extension of our downtown.

Mayor Boley noted that Alderman Hartman, Alderman Atkins and Alderman Kobylski are in favor of a sell or lease of the property. Alderman Chevalier in favor of only. Alderman Ulledahl and Alderman Russell not in favor of either. The majority is to put the RFP out but to rewrite for the lease.

Alderman Russell asked for consideration of his proposal to add the additional area in front of Humphreys.

The Board was not in favor of his proposal.

## **6. Discussion of Employee Compensation Plan**

Anna Mitchell noted that this is the last portion of the classification and compensation study completed by McGrath Consulting. This portion of that study is a complete redo of all the job descriptions and an update of the pay grade scale. Anna explained that there was a scrivener's error in the report that notes the plan was last revised in 2000 and should have been 2020. Based on discussions with a consultant and reviewing job descriptions staff made sure that each job description was placed correctly within the pay grade scale that was provided. The information provided in the study is based on the market data of similar communities in this area and making sure

that we are competitive. Also ensuring that on the external side and the internal side we are fair and equitable a between departments.

Anna noted that the main changes that are change of the Management Analyst title in Public Works Department and retitled to the Assistant to the Public Works Director and reclassified in the pay grade. Two new positions have been created; one is a water treatment plant shift supervisor. That is position is for the evening shift who will be in charge when the plant manager is not there. This position is also to make sure that there are at least two employees on duty for safety reasons. The second position added is a Recreation Coordinator, we currently have the position at a part-time status, but this would then increase that to a full-time position. The position will mainly work with sports and other programs offered by the Parks Department.

Anna asked for direction on any change the Board you like to see in the job descriptions as well as the pay grade schedule.

The Board all agreed with the changes.

**7. Adjourn**

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the Work Session adjourned at 6:31 p.m.

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Linda Drummond, City Clerk

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Damien Boley, Mayor