

SMITHVILLE BOARD OF ALDERMEN REGULAR SESSION

August 20, 2024 7:00 p.m.
City Hall Council Chambers and Via Videoconference

1. Call to Order

Mayor Boley, present, called the meeting to order at 7:14 p.m. following the Work Session. A quorum of the Board was present: Marv Atkins, Melissa Wilson, Kelly Kobylski, Leeah Shipley, Dan Hartman and Ronald Russell.

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

2. Pledge of Allegiance lead by Mayor Boley

3. Consent Agenda

- **Minutes**

- August 6, 2024, Board of Aldermen Work Session Minutes
- August 6, 2024, Board of Aldermen Regular Session Minutes

- **Finance Report**

- Finance Report for July 2024

- **Resolution 1392, Camp Host Contract Renewal**

A Resolution authorizing the renewal of an agreement with Janet Terry and Chris Dunkin for camp host services at Smith's Fork Campground.

- **Resolution 1393, Amending the Employee Handbook**

A Resolution amending the Employee Handbook to add section 12-7 Paid Parental Leave.

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

No discussion.

Ayes – 6, 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 13 Planning and Zoning Commission meeting. They discussed the site plan approval for the Montessori Academy. She noted that the Board would see in the future the items on rezoning the southeast corner of 169 Highway and W Highway and the preliminary plat. The addition will be called Clay Creek Meadows. There is a new donut shop going in at Fairview Crossing and MoDOT is doing road work south on 169 Highway by McDonalds and Fairview Crossing.

Mayor Boley noted that MoDOT is also doing road work up by 188th Street taking off some of the hill.

5. City Administrator's Report

Cynthia Wagner noted a couple of items related to scheduling. In conversation with the Mayor and the limited number of potential agenda items, he has recommended the September 3 meeting be cancelled. Cynthia also noted that the September 17 meeting is the same date that a number of the Board will be out of town attending Missouri Municipal League's (MML) annual conference. She asked the Board if they would want to reschedule the meeting and if so asked for recommendations as to when.

Cynthia noted that due to the timing in receiving the tax information from the Clay County Assessor's office, we may need to schedule a special meeting to set the tax rate. She explained that the tax rate has to be set prior to October 1. Once the information is received from Clay County, staff has to do the calculations to figure the rate and post the public notice of the public hearing.

Cynthia asked for Board concurrence for cancelling the September 3 meeting and asked for their recommendation on changing the September 17 meeting date.

Mayor Boley suggested moving the September 17 meeting to September 24. He noted that it would give Clay County time to get the City the tax information. He asked the Board, and they all agreed. Mayor Boley also asked the Board if they had any questions on FY2025 budget to please get them to staff prior to the September 24 work session.

Cynthia noted that staff is hopeful that with the meeting being moved to September 24 we will have information to be able to set the property tax rate. She added that if we do not, we will have to find a time to hold a special meeting, and it could possibly be September 30. Cynthia noted that she would be reaching out to the Board to develop a schedule if needed.

Mayor Boley suggested a Zoom meeting for the special meeting.

Cynthia noted that she and Chuck Soules, Public Works Director, had a meeting late last week with representatives of the Corps of Engineers. She explained that we had applied for funding through the Water Resources Development Act and have been identified for an earmark for funding. That funding will help fund three projects, the South Force Main, the Rocky Branch Gravity Sewer Main and the 144th Street Pump Station. The Corps of Engineers will be administering the allocation of funds associated with that federal earmark. On Friday she and Chuck met with the Corps of Engineers representative to learn and understand their requirements and processes of those funds. That process will include additional review and planning and will add some time to our process. Staff had initially planned for the project to be ready to bid in October, but the Corps of Engineers requires a full National Environmental Protection Act (NEPA) Study. In order to get that complete, staff will have to work with our engineers and have that approved by the Corps of Engineers. With the timing of that additional study, staff is envisioning the project will be bid in February at the earliest. Cynthia noted that it is tremendous to have that influx of funds but sometimes those funds come with delays and additional work. There will also be some additional costs that we will incur for the NEPA review, but they are relatively minor in the scheme of what we will receive for the project.

ORDINANCES & RESOLUTIONS

6. **Bill No 3035-24, Re-Adopt the Code of Ethics – 2nd Reading**

Alderman Atkins moved to approve Bill No. 3035-24, re-adopting the Code of Ethics to comply with Missouri Ethics Commission standards. 2nd reading by title only. Alderman Hartman seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3035-24 approved.

7. **Bill No. 3036-24, Real Estate Purchase Contract for the Sale of City Property on the Northside of Church Street – 2nd Reading**

Alderman Atkins moved to approve Bill No. 3036-24, authorizing the city of Smithville, Missouri real estate purchase contract and authorizing and approving certain documents in connection therewith. 2nd reading by title only. Alderman Hartman seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 5, Noes – 1, motion carries. Mayor Boley declared Bill No. 3036-24 approved.

8. **Bill No. 3037-24, Real Estate Purchase Contract for the Sale of City Property on the Southside of Church Street – 2nd Reading**

Alderman Atkins moved to approve Bill No. 3037-24, authorizing the city of Smithville, Missouri real estate purchase contract and authorizing and approving certain documents in connection therewith. 2nd reading by title only. Alderman Hartman seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes –4, Noes – 2, motion carries. Mayor Boley declared Bill No. 3037-24 approved.

9. **Resolution 1394, Site Plan – Montessori Academy Expansion**

Alderman Atkins moved to approve Resolution 1394, authorizing site plan approval for construction of a 5,109 ft² addition to the Montessori Academy at 14450 North 169 Highway, Suite B. Alderman Hartman seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1394 approved.

10. Resolution 1395, Award Bid Commercial Street Sidewalks

Alderman Atkins moved to approve Resolution 1395, awarding Bid No. 24-16 to Legacy Underground Construction for 2024 Commercial Avenue pedestrian improvements in an amount not to exceed \$898,658 and authorize a force account of \$100,000. Alderman Hartman seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1395 approved.

11. Resolution 1396, Agreement with GBA for Bridge Street Roundabout Design

Alderman Atkins moved to approve Resolution 1396, authorizing the Mayor to sign an agreement with GBA for engineering services for a roundabout at the intersection of East First Street and North Bridge Street and authorizing GBA to proceed with Phase A. Alderman Hartman seconded motion.

Doug Cirricione, 728 Spelman Drive, spoke to the Board about his objection to putting a roundabout at the intersection of East First Street and North Bridge Street. He noted that a roundabout is out of character for that environment and suggested a three-way stop would work better for that area. Mr. Cirricione also said that it would make it more difficult for the residents at the Housing Authority to navigate safely.

Ayes – 5, Noes – 1, motion carries. Mayor Boley declared Resolution 1396 approved.

OTHER MATTERS BEFORE THE BOARD

12. Public Comment

None

13. New Business from the Floor

None.

14. Adjourn.

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned at 7:27 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor