

**Maryville City Council**  
**Regular Session**  
**January 25, 2010**  
**7:00 p.m.**

The Council of the City of Maryville, Missouri, met in regular session on Monday, January 25, 2010, at City Hall, 415 North Market Street, in said City at 7:00 p.m.

**ROLL CALL**

The meeting was called to order by Mayor Jackson and the roll was called by the City Clerk, with the following present to-wit: Mayor Chad Jackson, Council Members Carole Coutts, Councilwoman Cummings and Shawn Wake were present. Councilman Ronnie Moss was not present. Others present were City Manager Matt LeCerf; Dir., City Attorney Doug Thomson, Dir., Public Safety Keith Wood, Dir., Public Works Greg Decker, Dir., Finance Denise Town and City Clerk Sheila Smail.

**PLEDGE TO THE FLAG**

Mayor Jackson led the pledge to the flag.

**INVOCATION**

An invocation was given by Councilwoman Cummings.

**APPROVAL OF THE AGENDA**

Mayor Jackson requested any changes needed to the agenda, be noted at this time. Motion was made by Councilwoman Coutts, seconded by Councilwoman Cummings, that the agenda be approved as presented. Upon roll being called the vote was as follows: Councilman Wake, yea; Councilwoman Coutts, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

**CITIZENS TO BE HEARD**

Mayor Jackson welcomed citizens and stated this the time for persons to address the Council on items not on the agenda. Any persons wishing to speak were requested to come forward and state their name and address for the record. No persons appeared to be heard.

**PRESENTATION OF EMPLOYEE OF THE QUARTER FOR FOURTH QUARTER 2009**

Mayor Jackson presented Street Superintendent Jay Cacek with the award of Employee of the Quarter for the fourth quarter of 2009. Jay was recognized for his willingness to go above and beyond his duties to provide safe streets, within the City of Maryville. He was also recognized for the great work he and his crew did during the large snowstorm over the Christmas holiday of 2009.

**TOWN AND GOWN ASSOCIATION**

Mayor Jackson reminded Council Members of the conversations held a few months back about the Town and Gown Association, when discussing the complaints received about R-2 Zoning and the excessive number students living in a house in residential zoning. He asked for the Council's thoughts of the City becoming members of the Town and Gown Association. He added that Dr. Jasinski invited a representative of the City to join the university by attending an annual conference, to be held in Ames, Iowa. Council Members agreed that if it was thought to be beneficial, they would be in favor. Mayor Jackson will provide detailed information and membership fee at the February 8, 2010 Council meeting.

**BUSINESS SIGNS OF OUT OF BUSINESS ESTABLISHMENTS**

A drafted ordinance was presented for discussion to better address requirements of removing business signs of businesses that have closed. Complete removal of signs and poles, by the owner, was proposed within sixty (60) days of the closure. It was discussed requiring the signs to be taken down immediately upon closure and the pole be removed within sixty (60) days of closure.

Mayor Jackson requested that the ordinance be brought back to the Council at the March 8, 2010 Council Meeting, with a public hearing to be held, as well. It was suggested that a notice be included on the water bills prior to the public hearing, to inform the citizens.

## **R-2 ZONING**

The Council was provided by the Public Works Department, an overview of thirty (30) communities, with similarities to the City of Maryville, and their requirements on the number of occupants permitted in a single family zoning district.

The cities noted for the most part have a college in town, and possibly a similar population count. While gathering information from the communities it was apparent that many of them were faced with the same difficulties as the City of Maryville faces, in the number of unrelated occupants in a dwelling.

It was suggested that the Planning and Zoning Commission study the information and make a recommendation to the Council. The recommendation to the Council shall address a definition of “family” and “accessory rental” without a limitation by number. The Planning and Zoning Commission will begin discussion at the scheduled meeting on January 28, 2010. The Council asked that they report back in three weeks or the first meeting in March 2010.

## **REQUEST FOR ORIGINAL PACKAGE LIQUOR LICENCES BY QUICK ZONE AND WALGREENS**

Applications were received by new owner of Quick Zone, formally known as Finish Line, at 620 North Main Street, for an Original Packaged and a Sunday Original Packaged Liquor Licenses. Walgreens also made application for both Original Package and Sunday Original Package Liquor Licenses. Both retail stores were recommended to be approved by staff

Motion was made by Councilwoman Cummings, seconded by Councilman Wake, to approve the Original Package and Sunday Original Package Liquor licenses requested by the Quick Zone and Walgreens. Upon roll being called the vote was as follows: Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Wake, yea; Mayor Jackson, yea. Motion carried.

## **FIREWORKS**

Mayor Chad Jackson asked other Council members’ thoughts on extending the timeframe for shooting off fireworks from July 4, from 8:00 am till 11:00 p.m., to July 3 thru 5 of each year and possibly New Years.

When asked, Dir., Public Safety Keith Wood stated that he didn’t have any large concerns, but recommended that a time restraint be kept in place.

Councilwoman Cummings expressed her concern for small animals and the fright they experience during the current one (1) day timeframe of shooting fireworks.

Public input will be attempted by scheduling a public hearing for the City Council meeting on March 8, 2010. Notice to the public will be posted on the website and as a message on water bills.

## **REQUEST FOR GENERAL ELECTION, FOR CITY COUNCIL MEMBERS**

The City Clerk presented a bill, being Bill No. 2010’06 for an Ordinance entitled:

An Ordinance Providing for a General Election to be Held on Tuesday, April 6, 2010, in the City of Maryville, Missouri, for the Purpose of Electing Two (2) Member of the Three (3) Year Term; Directing the City Clerk to Make Due Notice of Such Election as Prescribed by Law, to the County Clerk of Nodaway County, Missouri

Upon motion duly made and seconded, said bill was read by title on the first reading, a copy of said bill having been made available for public inspection by filing the same in the office of the City Clerk more than 24 hours prior to the meeting, and was duly passed by unanimous vote.

Upon motion duly made and seconded, said bill was read by title on the second reading, a copy of said bill having been made available for public inspection by filing the same in the office of the City Clerk more than 24 hours prior to the meeting, and was duly passed by unanimous vote.

Motion was made by Councilwoman Cummings, seconded by Councilwoman Coutts, that Council Bill No 2010’06 be approved as presented. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilwoman Coutts, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7185 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

## REPORTS

### City Manager

- Request for proposals will soon be sought for the reconstruction of the bathrooms on the main floor of City Hall
- Request for proposals have been sent out for the two (2) 750,000 gallon water towers.
- An award was received as a Gold Winner for the National Award for Excellence in Concrete Pavement, for 2008, by the American Concrete Pavement Association, for the South Main Street Design/Build Project.

### Council Members

- Mayor Jackson inquired about plans of the Tree Board holding an Arbor Day celebration the April. He also asked about the establishment of a new tree farm at Mozingo Lake.
- The Northwest Missouri Regional Airport was noted as an area that need some kind of art sculpture to improve its appearance. It was suggested that a contest that engaged students in artwork for the airport should be investigated.

## EXECUTIVE SESSIONS

Motion was made by Councilwoman Cummings, seconded by Councilwoman Coutts that the Council, go into executive session. Upon roll being called, the vote was as follows: Councilwoman Cummings, yea; Councilman Wake, yea; Councilwoman Coutts; yea; Mayor Jackson, yea. Motion carried.

City Council met in closed session to discuss Legal Action, Causes of Action or Litigation Involving a Public Governmental Body and Any Confidential or Privileged Communications Between a Public Governmental Body or its Representatives and its Attorneys, as Authorized by Section 610.021(1) RSMo, Closed Meeting, Closed Record, Closed Vote.

Discussion was also held for two (2) separate subjects of discussion for Hiring, Firing, Disciplining or Promoting of Particular Employee by a Public Governmental Body When Personal Information about the Employee Is Discussed or Recorded, as Authorized by Section 610.021(3) RSMo, Closed Meeting, Closed Record, Closed Vote.

Motion was made by Councilman Wake, seconded by Councilwoman Coutts that the Council comes out of executive session. Upon roll being called, the vote was as follows: Councilman Wake, yea; Councilwoman Coutts, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

## ADJOURNMENT

Motion was made by Councilwoman Cummings, seconded by Councilwoman Coutts that the Council adjourned. Upon the roll being called, the vote was as follows: Councilwoman Cummings, yea; Councilman Wakes, yea; Councilman Moss, yea; Councilwoman Coutts, yea; Mayor Jackson, yea. Motion carried. Meeting was adjourned.

---

Chad Jackson, Mayor

---

Sheila Smail, City Clerk