

**Maryville City Council**  
**Regular Session**  
**April 26, 2010**  
**7:00 p.m.**

The Council of the City of Maryville, Missouri, met in regular session on Monday, April 26, 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 Glenn Jonagan, Patricia Cummings, Shawn Wake, and Ronnie Moss were present. Others present were City Manager Matt LeCerf; City Attorney Doug Thomson, Dir., Public Safety Keith Wood, Dir., Public Works Greg Decker, Dir., Finance Denise Town, Human Resource Manager Amy Strough, Executive Assistant Abbie Renshaw 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. Mayor Jackson requested to amend the agenda to reflect the Employee of the Quarter (#8) to follow the Agenda Approval (#5), and the Presentation of the Mozingo 10 year Plan(#13) and the Discussion of City Flower (#14) to follow the Residents Zoning Concerns in South Grand Street Area (#7). Motion was made by Councilwoman Cummings, seconded by Mayor Jackson, that the agenda be approved as amended. Upon roll being called the vote was as follows: Councilman Wake, yea; Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

**EMPLOYEE OF THE QUARTER PRESENTATION – TIM WOLTERS, GOLF COURSE SUPERVISOR**

Mayor Jackson announced that Tim Wolters, Mozingo Golf Course Supervisor, was selected as the City Employee of the first quarter of 2010. Mr. Wolters has worked for the City for the past fifteen (15) years and was commended on his work ethics and dedication he exemplifies in attending the needs at the Mozingo Golf Course.

**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.

Mr. Hubert Seipel, 207 South Clayton Avenue, revisited the South Country Club speed limit issue. He noted that he read in the paper that the speed limit will remain twenty-five miles per hour (25mph) and that signs will be posted, but that the signs have not yet been posted. Mr. Seipel commented that all other streets coming into town are either 30 mph or higher and asked questioned of why South Country Club Road was different.

Staff stated that the signs have been ordered but have not yet been received for installation. It was explained that the residents along South Country Club Road were questioned to get feedback and they requested that it remain at 25mph.

Mr. Bob Martin, 105 North Munn Street, informed the Council Members that there are still issues in his neighborhood regarding housing of several students and parking issues in one house in a residential zoning.

Mr. Martin was informed that City Staff, the Planning and Zoning Commission and the City Attorney have been working to develop an ordinance that will be enforceable, by redefining the word “family” and what constitutes and “Accessory Rental”. The Planning and Zoning Commission are scheduled to meet on May 12, 2010, at 5:00 p.m. It was recommended by the Council to place the issue on the agenda for discussion at that time.

**RESIDENTS ZONING CONCERNS IN SOUTH GRAND STREET AREA**

Enclosed in the packet was a letter addressed to Code Enforcement Officer Jim Wiederholt, with signatures

from thirty (30) residents in the Faustiana Subdivision area regarding the incompliance of regulations within their R-1 and R-2 zoned neighborhood. Mary Noel, 117 South Grand Avenue and Jim Bagby, 214 South Grand Avenue; attended to express their concerns of the increasing number of homes that occupy more unrelated residents than the R-1 or R-2 zones allow, according to the Municipal Code. Mrs. Noel expressed her concerns with absentee landlords, who don't see the day to day activities that go on. Mrs. Noel expressed her concern regarding the depreciation of the value of residential homes resulting from the situation. Mr. Bagby and Mrs. Noel were encouraged to attend the Planning and Zoning Commission meeting, scheduled for May 12, 2010, at 5:00 p.m.

#### **CITY FLOWER CHOSEN**

Abbie Renshaw, Executive Assistant, and Amy Strough, Human Resource Manager, presented to the City Council five (5) options of flowers to be adopted as a City Flower. In narrowing down the choices to four, they gathered recommendations from the Maryville Garden Club and the university horticulturists Adam Stone and Rego Jones. The recommended flowers were the Coneflower, Calibrachoa, Hibiscus, Geranium, and Daffodils.

Motion was made by Councilman Jonagan, seconded by Councilwoman Cummings, that the Coneflower be adopted as the City flower for the City of Maryville. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Cummings, yea; Councilman Wake, yea; Mayor Jackson, yea. Motion carried.

#### **MOZINGO 10 YEAR PLAN**

David Middleton, Mozingo Park Maintenance presented to the Council the proposed 10 year plan for Mozingo Lake. The plan covered the remaining 7 years of the tax period, continued for a second ten (10) year period by the vote of the people, and is set to expire in 2017. It is estimated that \$75,000 per year profit has been realized from the family cabins.

The question arose regarding whether the Planning Committee will continue to be involved, seeing that the document is used as a guide in meeting the needs and expansions of the park.

Mr. Middleton stated once the 10 year Plan was adopted, the Council and staff would use the document to budget and plan for any maintenance items or improvements to the Mozingo Lake area.

Council discussed the usefulness of an advisory committee for Mozingo Lake to follow up and advise Council and staff in seeing that the 10-Year Plan is used.

Through the discussion it was clarified as to why the City takes care of Mozingo Lake Park and Golf Course area rather than the Park and Recreation Department overseeing it.

It was suggested that the document be made available to the public for feedback regarding the contents and planning schedule. It was also recommended that public town hall discussion periods be scheduled to allow the citizens an opportunity to give feedback. After this period has been completed, the council will consider the document for approval.

#### **RESIDENCY REQUIREMENTS FOR SERVING ON CITY COUNCIL AND BOARDS**

The City Clerk presented a bill, being Bill No. 2010'29 for an Ordinance entitled:

**An Ordinance to Repeal Section 110.010: Creation, Composition, Qualifications, of Article I: Airport Board, and Section 110.060: Appointment, Number and Qualifications, of Article II: Park and Recreation Board, of Chapter 110: Administrative Boards, of Title I. Government Code; and Section 120.030: Creation and Establishment of a City Tree Board, of Chapter 120: Tree Planting Policy; and Section 400.020: Composition, Appointment, Term Compensation, of Chapter 400. Zoning Commission, Article I: General Provisions and Section 415.010: Establishment and General Provisions, of Chapter 415: Establishment of Board of Zoning Adjustment, of Title IV. Zoning, of the Maryville Municipal Codes, and to Adopt New Sections 110.010, 110.060, 120.030, 400.020, 415.010, Pertaining to the Same Subjects**

In an attempt to establish a common residency requirement for all city boards, an ordinance was presented to identify city boards with more than a one year requirement or with no designated residency requirement, to be amended.

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 Councilman Moss, that Council Bill No 2010'29 be approved as presented. Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilwoman Cummings, yea; Councilman Wake, yea; Councilman Moss, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7206 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

#### **NORTH GRAND AVENUE AND 4<sup>TH</sup> STREET INTERSECTION**

City Manager LeCerf and Director of Public Safety Wood met regarding the traffic issue at the intersection of North Grand Avenue and West 4<sup>th</sup> Street. Two areas of concern were discussed: (1) The line of sight looking east on 4<sup>th</sup> Street from North Grand Avenue is impaired, (2) there is a safety issue where parking occurs on the west side of North Grand Avenue, when two vehicle attempt to navigate going north and south on Grand Avenue.

City staff recommended that the parking be eliminated on the west side of North Grand Avenue to just south of the first driveway going south, to allow from adequate navigation. To address the site issue at the corner of North Grand and 4<sup>th</sup> Street, from the east, staff suggested that the city send a letter requiring the bushes to be cut back.

Council discussed the options presented. Since the University was scheduled for summer break to begin shortly and North Grand Avenue is scheduled to be overlaid this summer so it was recommended that the parking changes be effective after the overlay is completed. Painting the roadway and posting signs were determined to be most effective.

Thereupon motion was made by Mayor Jackson, seconded by Councilwoman Cummings to eliminate parking from West Fourth Street to just past the first driveway, going south on Grand Avenue, when the resurfacing project is complete, indicating "No Parking" with signage and painting on the roadway. Upon roll being called, the vote was as follows: Councilwoman Cummings, yea; Councilman Wake, yea; Councilman Moss, yea; Councilman Jonagan, yea; Mayor Jackson, yea. Motion carried.

#### **APPROVE FINAL PLAT FOR GORMAN HILLS SUBDIVISION, BILL AND MELODY SCHLUTER**

The City Clerk presented a bill, being Bill No. 2010'30 for an Ordinance entitled:

**An Ordinance to Approve the Final Plat of Gorman Hills Subdivision, an Addition of the City of Maryville, Nodaway County, Missouri, and to Authorize the City Clerk to Endorse Approval of the Council on the Plat**

Bill and Melody Schluter, owners of property at the corner of North Water Street and East Fifth Street, located in Gorman Hills Subdivision, submitted a final plat for approval for development of six (6) lots. The Planning and Zoning Commission met on April 7, 2010 and made a recommendation to the City Council to approve the final plat. Dir., Public Works Greg Decker verified that all requirements were met according to the Maryville Municipal Codes.

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.

Thereupon, motion was made by Councilman Wake, seconded by Councilman Moss, that Council Bill 2010'30 be approved as presented. Upon roll being called, the vote was as follows: Councilman Wake, yea;

Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7207 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

Dir., Public Works Decker indicated that the Planning and Zoning Commission also made a recommendation to change the zoning for Consumer Oil Company's property at East First and South Depot Street, from M-1 to M-2, to allow for additional grain bins to be constructed. It was determined that the issue would need to go through the process of rezoning before being presented for approval by the Council.

#### **ACCEPTANCE OF COMPREHENSIVE FINANCIAL POLICIES**

The City Clerk presented a bill, being Bill No. 2010'31 for a Resolution entitled:

##### **A Resolution to Adopt Comprehensive Financial Policies for the City of Maryville, Missouri**

Dir., Finance Denise Town presented a document regarding Comprehensive Financial Policies for the City of Maryville. The Governmental Financial Officers Association (GFOA) and the National Advisory Council on State and Local Budgeting (NACSLB) encourage jurisdictions to adopt financial policies to aid in resource allocation decisions and in achieving long-term goals. It was explained that the document is intended to establish guidelines for continued financial strength and stability. By adopting a document of such it also reflects the City's commitment to financial excellence, full disclosure, and responsible financial management. This document contains policies already utilized by the City, as well as policies adopted by other cities.

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.

Motion was made by Councilwoman Cummings, seconded by Councilman Wake, that Council Bill No 2010'31 be approved as presented. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Cummings, yea; Councilman Wake, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Resolution No. 562 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

#### **REPORTS**

##### **City Manager**

- The cost of the Fireworks Display at Mozingo Lake on the 4<sup>th</sup> of July has increased to \$11,500 for 2010. The City had budgeted \$5,250, which leaves an excess of \$500. The costs will be shared with KNIM Radio Station.
- The Council was requested to give feedback of what they would like to see on the City's website. Staff is in the process of submitting a request for proposal for a website sponsor and design. Mayor Jackson asked that a list of websites that staff has been reviewing as examples, be forwarded to the Council.
- April 27 – 30, 2010, City Manager LeCerf will be out of the office, attending the City Manager Association meeting.

##### **Council Members**

- Councilman Wake had intended to bring a sample of recycled crushed glass from the university's glass crushing operation. He stated it was similar to grains of sand.
- Councilman Jonagan asked if the university was aware of the zoning issues the city is having with housing students off campus. Mayor Jackson suggested that Dr. Jackie Elliot be notified.
- Councilwoman Cummings spoke of a sample ordinance from Columbia, Missouri, regarding harassment of bicyclists, pedestrians, and persons in a wheelchair. It was discussed as to whether this issue would be

covered under Offenses, in the City's present code. The topic will be discussed further at the May 10, 2010 Council Meeting.

- Mayor Jackson asked if the Water Quality Report, sent to water customers, was in conjunction with a Notice of Violation. The City conjoined these items.
- Mayor Jackson inquired about the Council's interest in holding an event for Local Government Week. There was little interest.
- There have been several concerns expressed regarding the condition of South Munn Street, specifically from the High School, south to Route V. With that area of South Munn Street being heavily traveled, another look at the Road Improvement list may be needed.
- The City is working with the university to address the recycling options.

#### **EXECUTIVE SESSIONS**

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

City Council met in closed session to discuss Leasing, Purchase or Sale of Real Estate by a Public Governmental Body Where Public Knowledge of the Transaction Might Adversely Affect the Legal Consideration Therefore, as Authorized by Section 610.021(2) RSMo., Closed Meeting, Closed Record, Closed Vote.

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

#### **ADJOURNMENT**

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

---

Chad Jackson, Mayor

---

Sheila Smail, City Clerk