

**Maryville City Council Meeting**  
**Regular Session**  
**August 09, 2010**  
**7:00 p.m.**

The Council of the City of Maryville, Missouri, met in Regular Session on Monday, August 9, 2010, at City Hall, 415 North Market Street, in said City at 7:00 p.m.

**PUBLIC HEARING**

Mayor Jackson opened a public hearing regarding a rezoning request, submitted by Dennis Nelson, for property located at 1010 North Mulberry Street, from R-3, Multi-family (3 unrelated) to R-4 Multi-family (4 unrelated). Any persons wishing to speak for or against the issue were requested to come forward and state their name and address for the record. No persons appeared to be heard. Mayor Jackson closed the public hearing.

**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. Others present were City Manager Matt LeCerf, Dir., Public Safety Keith Wood; City Attorney Doug Thomson, Dir., Finance Denise Town and City Clerk Sheila Smail.

**INVOCATION**

The invocation was given by Councilman Moss.

**APPROVAL OF AGENDA**

Mayor Jackson asked if there were any changes needed to the agenda, they be noted at this time. Mayor Jackson requested that No. 17. Discussion: Southdale Green space and No. 18. Discussion: Intrusion and Infiltration, Brock Pfof, follow Financial Affairs. A motion was made by Councilwoman Cummings, seconded by Councilman Wake, 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.

**APPROVAL OF MINUTES**

Mayor Jackson asked if there were any amendments to the minutes presented for City Council meetings held July 12 and 26, 2010, as well as executive session minutes regarding acquisition of property.

Motion was made by Councilman Jonagan, seconded by Councilman Moss, that the minutes 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.

**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.

Tom Martin, 24920 State Hwy EE, requested permission to hold the Annual Haunted Campground/Trick or Treat event, at Mozingo Lake RV Campground on October 23, 2010, from 7:00 to 9:00 p.m. Mr. Martin explained that the event is planned as in the past years. Mr. Martin requested that the City donate a two (2) night's stay in the RV campground for the first place winner of the decorating contest. The City Council approved the proposed event and agreed to donate the two (2) nights stay in the RV camp.

**LAURA STREET BAPTIST CHURCH**

An application was received by Laura Street Baptist Church, requesting permission to hold their annual Youth Water Fight. Tate Walker, spokesman for Laura Street Baptist Church, reported that the Park and Recreation Department has agreed to allow the event to take place on the parking lot at Beal Park, on August 20,

2010, from 5:30 – 9:00 p.m. The request was for the use of water from a fire hydrant located at Beal Park, and for a temporary meter to measure the water used, which will be paid for by the church. A volunteer of the Fire Department or an on duty employee of the Fire Department will be present to hook up the meter and remove it when the event is concluded.

Motion was made by Councilman Jonagan, seconded by Councilman Moss that the request to hold the annual Youths Water Fight, by Laura Street Baptist Church, be granted. Thereupon, roll was called with the vote as follows: Councilman Jonagan, yea; Councilwoman Cummings, yea; Councilman Wake, yea; Councilman Moss, yea; Mayor Jackson, yea. Motion carried.

#### **CAMPAIGN FOR COMMUNITY RENEWAL REPORT**

Jim Blackford, Chairman of the Campaign for Community Renewal Committee, gave some history of the organization and purpose of the Committees goals in its infant stages, and reported on the downtown revitalization project and the progress made thus far. He added that Phases II and III, which include the business side of the downtown square to replace the sidewalks and incorporate the design used around the courthouse lawn and across the street, on the east side of the square. Funds have been recognized in completing the project. Bid requests will be let soon for the construction of Phases II and III. Completion of this project is projected to be in 2011.

Joyce Cronin, a member of the Campaign for Community Renewal Committee, spoke of the plans to incorporate art into the final phases of the project, at the nodes of each side of the square, on the business sides. It was requested by Mrs. Cronin that the City's budgeted Public Arts funds could be used to bring art into the community. She added that upon completion of the project that the Campaign for Community Renewal Committee will be dispersing, which will require business owners or some other group of people to step up to take responsibility for maintaining of the improvements made to the downtown area.

#### **NODAWAY COUNTY ECONOMIC DEVELOPMENT**

Lee Langerock, Dir., of the Nodaway County Economic Development (NCED), gave some history of NCED and expressed their appreciation of the City's support and partnering to provide retail recruitment to the area. Ms Langerock reviewed the many connections NCED has had in working in cooperation with other entities, to bring new businesses and organizations to Maryville, in recent years.

Darren Farnan, President NCED Board, spoke of the many accomplishments realized under the direction of Ms Langerock and thanked her for the work she has done.

#### **DOWNTOWN SOUNDS CONCERT, AUGUST 20, 2010**

Luke Reven, Dir., Greater Maryville Chamber of Commerce, submitted an application requesting to hold the third and final Downtown Sounds Concert of the summer, on August 20, 2010, from 6:30 p.m. until 8:30 p.m., on North Market Street, between 3<sup>rd</sup> Street and 4<sup>th</sup> Street. As previously requested, the street in this block was requested to be barricaded from 5:00 p.m. to 9:00 p.m., allowing for setup and removal.

Motion was made by Councilman Jonagan, seconded by Councilman Wake, to approve the request to hold the final Downtown Sounds Concert on August 20, 2010, from 6:30 p.m. - 8:30 p.m. 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.

#### **SURVEY RESULTS**

Alex Thomson, Intern to the City Manager, presented a power point of the results of a survey that was sent in the June water bills, to approximately four thousand (4,000) city water customers, with a return of about seven hundred (700) or 17% percent return rate. The survey was conducted on subjects such as recycling, ease of travel by biking, running and walking, overall view of the Maryville community, quality of life in Maryville, drinking water quality, fire department services, and customer services from city employees and administration. The survey also offered a portion of the survey to allow citizens to list other issues that need addressed in Maryville. Street conditions were most frequently noted.

#### **TREASURER'S REPORT**

Dir., Finance Denise Town reported a non-reoccurring revenue during the month of August, 2010, being a grant reimbursement from the National Highway Traffic Safety Association for the E911 grant (\$20,439.00). Non-reoccurring expenditures for the month included, Landmark Dodge Chrysler for a new 2010 Dodge Charger Patrol Car (\$20,072.00); Keller Construction Co, for Main Street curb and gutter (\$47,830.50); Olsson Associates, for trails and water tower projects (\$13,977.01); and Doug Thomson Trust Account, for Reed property on 6<sup>th</sup> Street (\$13,000).

Motion was made by Councilwoman Cummings, seconded by Councilman Wake, that the report be approved as presented. Upon the 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.

#### **PAYMENT VENDOR SCHEDULE**

Motion was made by Councilwoman Cummings seconded by Councilman Jonagan, that the payment vendor schedule be approved as presented. Upon the roll being called, the vote was as follows: Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Cummings, yea; Council Wake, yea; Mayor Jackson, yea. Motion carried.

#### **SOUTHDALE SUBDIVISION GREEN SPACE**

City Manager LeCerf reported that he met with Mel and Ann Gibson, and Brock Pfof, to discuss the possibilities of providing green space at the Southdale Subdivision. Mr. and Mrs. Gibson were willing to provide green space as part of the subdivision. Mr. LeCerf expressed a couple of concerns he had. First, Mr. and Mrs. Gibson asked that the City pay costs to have the property resurveyed if green space is designated. Secondly, the City Manager reminded the Council Members that a portion of the green space would include Peach Creek, which may expose the City to future maintenance that could prove to be costly. He reminded the Council of a discussion had in the past, regarding Peach Creek, north of the area being considered, when it was determined Peach Creek maintenance was the responsibility of the property owner.

A decision was not needed at this time. The discussion will resume at a later date, to decide whether or not the City is willing to take ownership of the proposed green space, including the Peach Creek area.

#### **INTRUSION AND INFILTRATION OF SANITARY SEWER LINES – BROCK PFOST**

As requested by the Council Members at the July 26, 2010, Council Meeting, Brock Pfof, White Cloud Engineering and Construction Company, was present to discuss the Infiltration and Intrusion ( I & I) project. Mr. Pfof suggested that rain water makes up the largest portion of the wastewater fluids. A map was provided depicting the ten (10) watersheds of the City. City staff and White Cloud Engineering and Construction Company will collectively perform the I & I camera and smoke tests to determine and report on each watershed and make recommended solutions. Repairs will be made prior to moving on to the next watershed.

#### **ZONING UPDATE**

Mayor Jackson reported that he has been in contact with someone with Cape Girardeau, Missouri who had hired a consultant to assist in resolve their zoning issues. Warrensburg, Missouri, hired a consultant to assist and set the ground rules for their residential zoning. He also spoke with the City of Columbia, who used their staff to develop a plan.

It was suggested that the City look into hiring a consultant to assist in setting ground rules and framework and possibly develop an overall Comprehensive Plan of the City, with the zoning issues being the first objective.

#### **ENHANCED ENTERPRISE ZONE**

City Manager LeCerf reminded City Council Members that the city had decided to opt out of the Enhanced Enterprise Zone (EEZ) with Nodaway County, with the thought of the City developing their own. But the city has since learned that the County is unable to participate without the City of Maryville being involved in the Nodaway County EEZ. Lee Langerock spoke with a group of representatives including the City Manager, Mayor, Councilman Jonagan and School District officials to give a better understanding of the EEZ,

as a whole. There are conflicting views as to how to add to the NICA codes. The EEZ is based on assessment of Real Property tax, not sales tax.

The Department of Economic Development and perhaps the School District could visit the Council to more clearly explain the impact the EEZ could have on the City, and School District. The County and cities would be required to adopt a resolution. The EEZ Board will set guidelines. There are many unanswered questions to the process and effects of the EEZ that need addressed before making any decisions.

#### **REPEAL/ADOPT NEW THE SMOKING ORDINANCE, CHAPTER 235, MARYVILLE CODES**

The City Clerk presented a bill, being Bill No. 2010'53 for an Ordinance entitled:

##### **An Ordinance to Repeal Chapter 235: Maryville Clean Air Act, of Title II. Public Health Safety and Welfare, to the Maryville Municipal Code, and to Adopt a New Chapter 235: Smoking Prohibited in all Workplaces and Public Places, Maryville, Missouri**

A motion was made by Councilman Jonagan, seconded by Councilman Moss, to remove Council Bill 2010'53 from the table for further discussion. 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 passed.

Councilman Jonagan reported that since the first reading of the smoking ordinance, a review was performed, as requested at the July 12, 2010, meeting. He stated that during the review period, it was recommended to leave the ten feet (10') setback for smokers from all entrances to all public buildings and to allow smoking at outdoor patio areas and in commercial vehicles. Discussion was had as to whether the bars should be excluded from the restricted smoking ordinance.

After much discussion, motion was made by Mayor Jackson, seconded by Councilman Moss, to amend the bill by noting the Ord goes into effect on October 1, 2010. This will allow a period of time for educating the public on the new ordinance. Upon roll being called, the vote was as follows: Councilwoman Cummings, abstained; Councilman Wake, abstained, Councilman Moss, yea; Councilman Jonagan, yea; Mayor Jackson, yea. Motion carried.

Motion was made by Councilman Wake, to exclude all bars from being included as a smoke-free establishment by the adoption of the ordinance. Because of a lack of a second to the motion, the motion died.

At the July 12, 2010 Council Meeting a motion was made by Councilman Jonagan, seconded by Councilman Moss to adopt Council Bill No 2010'53. Mayor Jackson asked to call for the question. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Cummings, nay; Councilman Wake, nay; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7233 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

The Breathe Easy Collation will provide education to the public regarding the newly adopted smoking ordinance.

#### **CHANGE ORDER NO. 1, OF RETAINING WALL CONTRACT, WITH LOCH SAND AND CONST.**

The City Clerk presented a bill, being Bill No. 2010'62 for an Ordinance entitled:

##### **An Ordinance Approving Change Order No. 1 of a Contract With Loch Sand and Construction Company, Inc., for the Purpose of Providing Improvements to the Retaining Wall Located at the City Street Garage, Maryville, Missouri**

Change Order No 1, of Contract 2009-57, was presented regarding the retaining wall at the City Street Garage, for work that was performed, prior to approval. The work consisted additional concrete, backfill, drainage work, with an additional cost of \$15,165.43. This project is being primarily financed by insurance claim funds.

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 Councilman Jonagan, seconded by Councilwoman Cummings, that Council Bill No. 2010'62 be approved as presented. After further discussion, it was determined that since the additional work was done prior to formal approval of the City Council and the uncertainty of the city's insurance paying the additional costs, the City shall limit the amount out of pocket to \$6,000.

Motion was made by Councilwoman Cummings, seconded by Councilman Moss, that Council Bill No. 2010'62 be amended with an out of pocket limit of \$6,000. 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.

Thereafter, roll was called to adopt the Council Bill No 2010-62, as amended. 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. 7234 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, with Change Order No 1 being made a part of Contract 2009-57.

**CHANGE ORDER NO. 2, OF RETAINING WALL CONTRACT, WITH LOCH SAND AND CONST.**

The City Clerk presented a bill, being Bill No. 2010'63 for an Ordinance entitled:

**An Ordinance Approving Change Order No. 2 of a Contract With Loch Sand and Construction Company, Inc., for the Purpose of Providing Improvements to the Retaining Wall Located at the City Street Garage, Maryville, Missouri**

Change Order No 2, of Contract No 2009-57, with Loch Sand and Construction Company, for the construction of the retaining wall at the City Street Garage, was presented for approval. Change Order No. 2 is for a deduction of \$41.10, for a 4" brow drain.

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 Jonagan, that Council Bill No. 2010'63 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. 7235 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, with the change order being made a part of Contract 2009-57.

**APPROVAL OF AUDIT PERFORMED BY MCGLADREY & PULLEN, LLP**

The City Clerk presented a bill, being Bill No. 2010'64 for an Ordinance entitled:

**An Ordinance to Approve an Addendum to the Arrangement Letter, Dated May 1, 2008, an Agreement With McGladrey & Pullen, LLP, Certified Public Accountant, to Conduct an Audit of the City of Maryville, Missouri, for Fiscal Year Beginning October 1, 2009, and Ending September 30, 2010, and Providing for an Effective Date Thereof**

As in past years, it was proposed that McGladrey & Pullen, LLP, be hired to perform an audit of the City of Maryville.

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 Jonagan, that Council Bill No 2010'64 be adopted. 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 Ordinance No. 7236 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk and recorded as Contract No. 2010-28.

#### **PURCHASE A MID-MOUNT MOWER FOR CEMETERY DEPARTMENT, MEDSKER SALES**

The City Clerk presented a bill, being Bill No. 2010'65 for an Ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Medsker Sales and Service, for the Purpose of Purchasing a Mid-Mount, Rear Discharge Mower, for Use by Cemetery Department, Maryville, Missouri**

The proposed mid-mount, rear discharge mower was budgeted for purchase.

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 2010'65 be adopted. 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. 7237 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk and recorded as Contract No. 2010-29.

#### **PURCHASE A TRACK LOADER FOR MOZINGO MAINTENANCE, NW POWER SALES**

The City Clerk presented a bill, being Bill No. 2010'66 for an Ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Northwest Power Sales, for the Purpose of Purchasing a T190 Bobcat Loader, for Use by Mozingo Lake Maintenance Department, Maryville, Missouri**

The proposed purchase of the Bobcat Track Loader shall be funded through a grant through the Missouri Department of Natural Resources, in the development of equestrian trails, on the west side of Mozingo Lake.

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 Wake, that Council Bill No 2010'66 be adopted. 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 Ordinance No. 7238 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk and recorded as Contract No. 2010-30.

**PURCHASE OF CROSSWALK SIGNAL, MAIN STREET AND TORRANCE STREET**

The City Clerk presented a bill, being Bill No. 2010'67 for an Ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Mid American Signal Incorporated, for the Purpose of Purchasing Two Solar Powered, Mid-Block Pedestrian Flasher Equipment Signals, for the Planned Cross Walk at South Main Street and Torrance Street, Maryville, Missouri**

The proposed pedestrian flasher equipment signal is a part of the planned ARRA sidewalk program but will not be funded through the grant. Funding will be obtained through the budgeted sidewalk construction program.

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 Wake, that Council Bill No 2010'67 be adopted. 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. 7239 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk and recorded as Contract No. 2010-31.

**REZONING FOR 1010 NORTH MULBERRY STREET, DENNIS NELSON**

City Clerk presented a bill, being Bill No. 2010'68 for an Ordinance entitled:

**An Ordinance to Amend Section 405.040 (The Official Zoning Map), Ordinance No. 4984 (The Zoning Ordinance), Upon the Application of Dennis Nelson, Rezoning Property Located at 1010 North Mulberry Street, From R-3, Multi-Family Residence (3 Unrelated) to R-4, Multi-Family Residence (4 Unrelated)**

The Planning and Zoning Commission met July 14, 2010, to consider a request submitted by Dennis Nelson, for the rezoning of property located at 1010 North Mulberry Street, from R-3 Zone (Multi-family,3 Unrelated) to R-4 Zone (Multi-family, 4 unrelated). Several neighbors to the property were present at the Planning and Zoning Commission meeting to express their concerns regarding the rezoning. The Zoning Commission recommended to the City Council to deny the request for rezoning of 1010 North Mulberry Street.

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.

For discussion purposes, a motion was made by Councilman Wake seconded by Councilwoman Cummings, that Council Bill No 2010'64 be approved. Upon roll being called, the vote was as follows: Councilman Moss, nay; Councilman Jonagan, nay; Councilwoman Cummings, nay; Councilman Wake, nay; Mayor Jackson, nay. Motion failed.

**REPORT**

**I. City Manager**

- A budget session was set for 5:30 p.m. on Monday, August 23, 2010, just prior to the next regularly scheduled City Council meeting.
- The City has purchased the property at 302 East 6<sup>th</sup> Street and will go through the bid process for demolition the wooden structure.
- The Asphalt Overlay Project has required more asphalt than expected in some areas. Bids have not yet come in for Water Street and Saunders Street but the City Manager will report back to the Council

## **II. Council**

- The intersection at Main Street and South Avenue has been experiencing some congestion recently. It was suggested that the activation line be repainted to be easily identified.
- Information was distributed from the previous TAC meeting asking for suggestions for improvements for MODoT.
- An inquiry was made about the status of the Mazingo Advisory Board, in gathering potential members. The applications received will be presented to the Council at the next meeting.
- Pierce Avenue drainage issues will be brought back at the next meeting for discussion.
- A report had been filed that RV campers have been washing their campers and filling swimming pools at the RV campgrounds.
- Claire McCaskill will be visiting Maryville.
- Northwest Regional Council of Governments is holding their annual dinner on Thursday, August 12, 2010, at the Countryside Bistro.

## **EXECUTIVE SESSION**

Motion was made by Councilman Jonagan, seconded by Councilman Wake 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 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.

Motion was made by Councilwoman Cummings, seconded by Councilman Wake that the Council comes out of executive session. 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

## **ADJOURNMENT**

Motion was made by Councilman Moss, seconded by Councilman Wake that the meeting be adjourned. Upon the 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.

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Chad Jackson, Mayor

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Sheila Smail, City Clerk