

Maryville City Council Meeting
Regular Session
October 11, 2010
7:00 p.m.

The Council of the City of Maryville, Missouri, met in Regular Session on Monday, October 11, 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 Jackson, Council Members Glenn Jonagan, and Patricia Cummings. Councilman Shawn Wake appeared at 7:25 p.m. Councilman Ronnie Moss was not present. Others present were City Manager Matt LeCerf, Dir., Public Safety Keith Wood; ~~City Attorney Doug Thomson~~, Dir., Finance Denise Town, Dir., Public Works Clifford Goodall, Human Resource Manager Amy Strough and City Clerk Sheila Smail.

PLEDGE TO THE FLAG

The pledge to the flag was lead by Mayor Jackson.

INVOCATION

The invocation was given by Pastor Mike Dooskey, Living Hope Church.

APPROVAL OF AGENDA

Mayor Jackson asked if there were any changes needed to the agenda, they be noted at this time. A motion was made by Councilwoman Cummings, seconded by Councilman Jonagan, that the agenda be approved as presented. Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilman 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 September 13 and 27 and the Budget Session minutes for August 23 and September 21, 2010.

Motion was made by Councilwoman Cummings, seconded by Councilman Jonagan, that the minutes be approved, as presented. Upon roll being called, the vote was as follows, Councilwoman Cummings, yea; Councilman Jonagan, 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 a part of 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.

REQUEST FOR NWMSU HOMECOMING PARADE ON CITY STREETS

Northwest Missouri State University (NWMSU) submitted a request to hold the annual Homecoming Parade on city streets, Saturday, October 30, 2010, 9:00 a.m. The parade route had been changed regarding the starting point. The parade will begin lining up by the Ron Houston Performing Arts Building and will travel east on College Avenue to North Market Street, where it will disperse.

Motion was made by Councilwoman Cummings, seconded by Councilman Jonagan, to allow Northwest Missouri State University to hold the Homecoming Parade on city streets, October 30, 2010, at 9:00 a.m. Upon roll being called the vote was as follows: Councilman Jonagan, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

REQUEST FOR VETERAN'S DAY CELEBRATION, AMERICAN LEGION, POST 100

A request was submitted by American Legion Post 100, to hold the annual Veteran's Day Celebration, Thursday, November 11, 2010, at 11:00 a.m. Due to construction on the west side of the Courthouse they have requested the celebration be held on the east side of the Courthouse along North Market Street. The City was requested to provide barricades to close the street from 3rd to 4th Streets.

Motion was made by Councilwoman Cummings, seconded by Councilman Jonagan, that the Veteran's Day Celebration event celebration request be approved. Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

TREASURER'S REPORT

Dir., Finance Denise Town reported that the city received two (2) non-reoccurring reimbursements, one (1) from MIRMA for the retaining wall repairs (\$84,109.35) and the other from Missouri Department of Natural Resources for the MOERA project (\$39,325.50). Non-reoccurring bills paid were to Keller Construction for the asphalt project (\$219,047.50) and CB & I, Inc., for the first pay request for the water tower construction project (\$257,323.50).

Motion was made by Councilwoman Cummings, seconded by Councilman Jonagan, that the Treasurer's Report be approved as presented. Upon the roll being called, the vote was as follows: Councilwoman Cummings, yea; Councilman Jonagan, 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 Jonagan, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

MEMBERSHIP AND SUPPORT OF THE NWMRCOG

Notice was received for the Northwest Missouri Regional Council of Governments (NWMRCOG) membership, with membership fees of \$.35 per citizen population, making a total amount due of \$3,703.35.

Motion was made by Councilwoman Cummings, seconded by Councilman Jonagan, that the city's membership be renewed with NWMRCOG. Upon roll being called the vote was as follows: Councilwoman Cummings, yea; Councilman Jonagan, yea; Mayor Jackson, yea. Motion Carried.

AGREEMENT WITH OLSHAM, TO REPAIR CITY HALL BATHROOMS

The City Clerk presented a bill, being Bill No. 2010'87 for An Ordinance entitled:

An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Olsham for the Purpose of Making Repairs to the South Bathrooms at City Hall, 415 North Market Street, Maryville, Missouri

Due to the bathrooms on the southwest corner of City Hall pulling away from the rest of the structure, Staff requested to hire Olsham to make repairs and corrections to the structure to reconnect the restrooms to the rest of the structure. Olsham has submitted a bid not to exceed \$8,800, for the project.

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, to approve Council Bill No 2010'87 as presented. Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7256 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, and being a part of Contract No. 2010-40.

CONSULTANT AGREEMENT WITH OLSSON ASSOCIATES FOR AVIATION PROJECT

The City Clerk presented a bill, being Bill No. 2010'88 for an ordinance entitled:

An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Olsson Associates for Consultant Services for the Aviation Project for the Installation of Two (2) 10,000 Gallon Above Ground Fuel Tanks, at the Northwest Missouri Regional Airport, Maryville, Missouri

The City has been working to have two (2), 10,000 gallon, aboveground, fuel tanks installed at the Northwest Missouri Regional Airport. It is attainable with the consultation of Olsson Associates.

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, to approve the agreement with Olsson Associates as stated in Council Bill No 2010'88. Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7257 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, and being a part of Contract No. 2010-41.

CHANGE ORDER NO. 1, OF CONTRACT WITH LOCH SAND , WEST 16TH STREET PROJECT

The City Clerk presented a bill, being Bill No. 2010'89 for An Ordinance entitled:

An Ordinance to approve Change Order No. 1, of a Contract with Loch Sand and Construction Company, Inc., for the Purpose of Construction of the West Sixteenth Street Project, , Maryville, Missouri

Change Order No. 1, of the Contract with Loch Sand and Construction Company, to move a 12" water box to accommodate a new twelve foot (12') by four foot (4') precast reinforced concrete box under Sixteenth Street. Initially the City crew had planned to move the line but since, it has been decided to hire the work done to avoid holding up progress on the street project, since winter weather is quickly approaching. Hiring this work done will cost an additional \$10,235, with the City providing the materials.

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, to approve Council Bill No. 2010'89 as presented. Upon roll being called, the vote was as follows: Councilwoman Cummings, yea; Councilman Jonagan, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7258 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, and being a part of the original Contract No. 2010-35.

LOT SPLIT – 1333 SOUTH MAIN STREET, OLD WALMART BUILDING, KEN HUTCHINS

The City Clerk presented a bill, being Bill No. 2010'90 for a Resolution entitled:

A Resolution Authorizing the Lot Split of Property Owned by Ken Hutchins, Located at 1333 South Main Street, of the City of Maryville, Nodaway County, Missouri

A request was received from Ken Hutchins, owner of the property located at 1333South Main Street, requesting a lot split approval. The request would create an "L" shape, split down the middle of the current building, dividing the building into two (2) separate parcels of land. The City Attorney and Code Enforcement Department support the lot split as long as there is an agreement signed to accompany the lot split that requires separate water and sewer services, appropriate firewalls, a centrally located electrical system and fire suppression system, and prohibits signs for the additional occupancy until compliance is met. Failure to comply with these requirements could result in disconnection of water and sewer services.

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 Jonagan, to approve the requested lot split. Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilwoman Cummings, yea; Councilman Wake, abstained; Mayor Jackson, yea. Councilman Wake abstained from voting because he arrived during the middle of discussion. Motion carried.

Said bill was then numbered Resolution No. 567 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

LOT SPLIT –101 SOUTH BUCHANAN STREET, OWNED BY KAM WONG

The City Clerk presented a bill, being Bill No. 2010'91 for a Resolution entitled:

A Resolution Authorizing the Lot Split of Property Owned by Kam Wong, Located at 101 South Buchanan Street, of the City of Maryville, Nodaway County, Missouri

This lot split request is for the purpose of providing property owned by Dr. Jeffrey Gardner its own access to property owned next to 101 South Buchanan Street, by splitting off a section that is 8.79 feet wide and 132.22 feet long. Staff recommended approval of the requested lot split.

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 Jonagan, to approve the requested lot split. Upon roll being called, the vote was as follows: Councilwoman Cummings, yea; Councilman Wake, yea; Councilman Jonagan, yea; Mayor Jackson, yea; Motion carried.

Said bill was then numbered Resolution No. 568 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

AGREEMENT AND CONTRACT MODIFICATION BY AND BETWEEN CITY AND PWSD NO 1

The City Clerk presented a bill, being Bill No. 2010'92 for an Ordinance entitled:

An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Public Water Supply District No. 1

Negotiations with Public Water Supply District #1(PWSD#1)have been discussed for three (3) years to develop a three (3) tier structure plan for the sale of water to . PWSD#1 will pay a “Prevailing Rate” of 85% of the rate charged to city residents, with a charge of no less than \$3.96 per 1,000 gallon. The tier structure will be as follows: Tier 1 – no less than \$3.96 per 1,000 gallon up to eight million gallon; Tier 2 – eight million gallon to twelve million gallon, with a deduction of 5% in cost of Tier 1; Tier 3 – twelve million gallon and above will have a deduction of 10% of the cost in Tier 1.

The agreement also includes the opportunity for the City to purchase meters of all property/lots of customers inside the city limits at the cost of \$2,200 and can purchase meters inside city limits that are part of a new developments at \$3,800 per meter.

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. 2010'92 be approved as presented. Upon roll being called, the vote was as follows: Councilman Wake, yea; Councilman Jonagan, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7259 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, with approval of Contract 2010-42.

COUNCIL’S GOALS AND OBJECTIVES

City Council Members discussed the need to identify goals and objectives. They discussed the need for the Council to benchmarking goals and objectives and develop a timeline for projects to report on the progress of projects and goals. Perhaps the City should incorporate some “Green” type goals.

It was recommended that a retreat session be scheduled to discuss these items. A work session will be scheduled in the next month.

REPORT

I. City Manager

- Clifford (C.E.) Goodall was introduced as the new Public Works Director for the City of Maryville.
- City Manager will be out of the office Monday, October 18 – 21, 2010, attending the International City/County Managers Conference.
- Mozingo Advisory Board Meeting will meet at Wednesday, October 13, at 7:00 p.m.

II. Council

- None

ADJOURNMENT

Motion was made by Councilwoman Cummings, 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; Mayor Pro-Tem Wake, yea. Motion carried.

Chad Jackson, Mayor

ATTEST:

Sheila Smail, City Clerk