

**Maryville City Council**  
**Regular Session**  
**November 22, 2010**  
**7:00 p.m.**

The Council of the City of Maryville, Missouri, met in regular session on Monday, November 22, 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., Finance Denise Town; Dir., Public Works Clifford Goodall, Human Resource Manager Amy Strough and City Clerk Sheila Smail.

**PLEDGE TO THE FLAG**

Mayor Chad Jackson led the pledge to the flag.

**APPROVAL OF THE AGENDA**

Mayor Jackson requested any changes needed to the agenda, be noted at this time. Motion was made by Councilwoman Cummings, seconded by Councilman Moss, that the agenda 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.

**INVOCATION**

Councilwoman Cummings gave the invocation.

**PRESENTATION CERTIFICATE OF ACHEIVEMENT FOR EXCELLANCEIN FINANCING AWARD**

Mike Wade, Dir., Finance of Belton, Missouri and representative of Government and Financial Officers Association (GOFOA), presented Dir., of Finance Denise Town, a Certificate of Achievement for Excellence of Financial Reporting Award (CAFR), prepared by Ms Town, for the City of Maryville. Ms Town was congratulated and thanked for a job well done.

**PRESENTATION OF GRANT MONEY FROM MIRMA**

Scott Melton, Missouri Intergovernmental Risk Management Association (MIRMA), presented to Public Safety representative, Public Safety Officer Matt Hoza, a plaque that represented a reimbursement of \$4072.50 for wearable audio camera units. MIRMA allots \$150,000 for members to purchase safety equipment and will reimburse up to 75% of the cost of an item.

**ACCEPTANCE OF PETITION FOR ANNEXATION OF 324 LARRY DRIVE**

The City Clerk presented a bill, being Bill No. 2010'101 for an Ordinance entitled:

An Ordinance Acknowledge the Presentation of a Petition to Annex Property Located at 324 Larry Drive, Owned by ~~Roger and Stacy Bundridge~~, Downtown Real Estate, LLC, Scheduling a Public Hearing on Said Petition Directing That Notice of Said Hearing Be Published in the Maryville Daily Forum and Directing the City Manager to Prepare a Report on the Proposed Annexation

A petition for acceptance of annexation was presented to the City Council, for property located at 324 Larry Drive, by Roger and Stacy Bundridge.

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.

Council Members discussed the concerns expressed about the tower and billboard that had recently been constructed, but not to city code. It was questioned as to why the annexation was requested after the construction

was completed.

Motion was made by Councilwoman Cummings, seconded by Councilman Wake that the petition for annexation be accepted by approving Council Bill No. 2010'101.

After the motion was made and seconded, it was noted that instead of noting Roger and Stacy Bundridge as the party requesting the annexation, it should have read Downtown Real Estate LLC. Roger and Stacy Bundridge are the owners of Downtown Real Estate LLC. Thereupon the previous motion and second was withdrawn and amended by Councilwoman Cummings and Councilman Wake, to read "Owned by Downtown Real Estate, LLC".

After the motion had been amended, the ordinance was read by title for a third time. 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. 7266 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**ACCEPTANCE OF PETITION FOR ANNEXATION OF 326 LARRY DRIVE**

The City Clerk presented a bill, being Bill No. 2010'102 for an Ordinance entitled:

An Ordinance Acknowledge the Presentation of a Petition to Annex Property Located at 326 Larry Drive, Owned by ~~Roger and Stacy Bundridge~~, Northwest Missouri Cellular, LLC, Scheduling a Public Hearing on Said Petition Directing That Notice of Said Hearing Be Published in the Maryville Daily Forum and Directing the City Manager to Prepare a Report on the Proposed Annexation

A petition for acceptance of annexation was presented to the City Council, for property located at 326 Larry Drive, by Northwest Missouri Cellular, LLP, which is owned by Roger and Stacy Bundridge.

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 the petition for annexation be accepted by approving Council Bill No. 2010'102 with the amendment of identifying the applicant as Northwest Missouri Cellular, LLP.

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. 7267 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**PUBLIC HEARING FOR ANNEXATION REQUEST FOR 324 LARRY DRIVE**

Mayor Jackson opened the public hearing for citizens to be heard regarding the proposed annexation of Property located at 324 Larry Drive, by Downtown Real Estate, LLC. Mayor Jackson stated this the time for anyone wanting to be heard to stand and state their name and address for the record. No persons appeared to be heard. Mayor Jackson closed the Public Hearing.

**PUBLIC HEARING FOR ANNEXATION REQUEST FOR 326 LARRY DRIVE**

Mayor Jackson opened the public hearing for citizens to be heard regarding the proposed annexation of Property located at 326 Larry Drive, by Northwest Missouri Cellular, LLP. Mayor Jackson stated this the time for anyone wanting to be heard to stand and state their name and address for the record. No persons appeared to be heard. Mayor Jackson closed the Public Hearing.

**ACCEPTANCE OF PETITION FOR ANNEXATION OF PROPERTY ALONG EAST SOUTH AVENUE**

The City Clerk presented a bill, being Bill No. 2010'103 for an Ordinance entitled:

An Ordinance Acknowledge the Presentation of a Petition to Annex Property Located

along East South Avenue, owned by Eric Zimmerman, Scheduling a Public Hearing on Said Petition Directing That Notice of Said Hearing Be Published in the Maryville Daily Forum and Directing the City Manager to Prepare a Report on the Proposed Annexation

A petition for acceptance of annexation was presented to the City Council, for property located along East South Avenue, by Eric Zimmerman.

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 the petition for annexation be accepted by approving Council Bill No. 2010'103, 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 Ordinance No. 7268 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

#### **LOT SPLIT REQUEST BY CURT TOBIN AT 804 N. WALNUT STREET AND 513 W. 8<sup>TH</sup> STREET**

The City Clerk presented a bill, being Bill No. 2010'104 for a Resolution entitled:

A Resolution Authorizing the Lot Split of Properties Owned by Curt Tobin and Sigma Phi Fraternity, Located at 800 North Walnut Street, of the City of Maryville, Nodaway County, Missouri

A request for two lot splits was made by Curt Tobin and the Sigma Phi Fraternity, in the 800 Block of North Walnut Street. Curt Tobin requested a lot split for a 2,560 sq. foot piece of property that he owns adjacent to 816 North Walnut Street. Sigma Phi Epsilon requested a lot split of a 2,560 square foot piece of property located southeast of 530 West Ninth Street. The two parties plan to trade the two (2) pieces of property. Both properties met the minimum lot width and area and area requirements of the Maryville Municipal Code.

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 the lot split request be granted by approving Council Bill No. 2010'104, as presented.

Upon roll being called, the roll was as follows: Councilman Jonagan, yea; Councilwoman Cummings, yea; Councilman Wake, yea; Councilman Moss, abstained; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Resolution No. 570 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

#### **CONTRACT WITH MISSOURI DEPARTMENT OF CORRECTIONS, WORK RELEASE PROGRAM**

The City Clerk presented a bill, being Bill No. 2010'105 for an Ordinance entitled:

An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with the Missouri Department of Corrections/Maryville Treatment Center, for the Purpose of Providing Offenders the Opportunity to Gain Work Skills Through the Supervised Work Release Program

A contract was presented to the City Council to hire offenders of the Missouri Department of Corrections to work for the City through a work release 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 Councilman Wake, seconded by Councilman Moss that Council Bill No. 2010'105, be approved as presented. 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.

Said bill was then numbered Ordinance No. 7269 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

### **COMPREHENSIVE PLAN**

The Maryville City Council revisited the list of top submissions received for the request for proposals for the Comprehensive Plan project. It was decided that the Design Workshop, Gould Evans, PGAV, and RDV would be invited to make a presentation prior to the December 13, 2010, beginning at 5:00p.m. It was also determined that the Council meeting will be pushed back to start at 7:30 p.m.

### **RETREAT AGENDA**

City Council Members and City Manager LeCerf discussed the need to hold a retreat. The retreat would be held to discuss topics concerning issues of the City. Some of the topics to be addressed are succession planning, staffing matters, future facility needs, work sessions, establishing priorities of budgeted projects, priorities of unbudgeted projects, being fiscally responsible, greener approach, and the review of the mission, vision, value statements. It was suggested that the retreat could be held at the Airport Conference meeting room or another location of choice.

It was decided that the initial retreats will be held January 18, 2011, at 5:30, at the Airport Terminal meeting room. Tentatively, the second meeting will be held January 25, 2011, at 5:30. Further discussion on details of the upcoming retreat will take place at the December 13, City Council meeting.

### **REPORTS**

#### **City Manager**

- Trails grant applications are being prepared for submission. The first trail will begin at Fourth Street and Davis Street, going east to Laura Street, north on Laura Street to 7<sup>th</sup> Street, west on 7<sup>th</sup> Street to 7<sup>th</sup> Street and Davis Street. The second will begin at 7<sup>th</sup> Street and Davis Street, going west on 7<sup>th</sup> Street, to 7<sup>th</sup> and Main, turn north on Main Street to 9<sup>th</sup> Street, turning west on 9<sup>th</sup> Street, to the corner of 9<sup>th</sup> and Walnut Street. Informational meetings are scheduled for November 23 and 29, 2010, with the property owners along the proposed trail route.  
Councilman Jonagan inquired about the possibly of cooperating with the Missouri Department of Transportation (MODoT) for a trail along Route V, from the Middle School to South Munn Street. It was discussed that that project might be possible in the future.
- The logo proposed for the new water tower on university property will have an increase in cost of \$2,640 for the change in font. It is planned to read, "Go Bearcats!"
- One of the pumps at the Mozingo Lake pump house has broken down and has estimated repairs of \$25,000. The price of a new pump is being explored and may be more cost effective than to repair the pump. City Manager will be in contact with the Council.
- City Manager LeCerf and Dir., Public Works C.E. Goodall met with Missouri Department of Natural Resources (MDNR), regarding the Intrusion and Infiltration (I & I) issues. MDNR had been provided the Assessment and Reduction Plan, the Resolution passed by the City Council regarding the City's intent to mitigate I & I issues, the initial watershed study, the request for proposal for the manhole replacements, and the contract for continuous I & I testing . The plans have not yet been reviewed by MDNR. The City should receive a response from MDNR within three weeks.

**Council Members**

- Jim Fall, President of the Mazingo Advisory Board and Councilman Jonagan met with the City Manager to discuss some of the ideas generated through the Advisory Board.
- At the TAC meeting MODoT stated that they would send someone to Maryville to address the speeding issue and an engineer to study light issue on Hwy 71.
- Suddenlink sent a letter to Mayor Jackson to inform the City that they will be increasing cable rates \$1.75 on expanded package and \$1 for the basis packet.

**ADJOURNMENT**

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

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Chad Jackson, Mayor

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Sheila Smail, City Clerk