

**Maryville City Council**  
**Regular Meeting**  
**Monday, July 27, 2009**  
**7:00 pm**

The Council of the City of Maryville, Missouri, met in regular session on Monday, July 27, 2009, 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 roll was called by the City Clerk, with the following present to-wit: Mayor Chad Jackson, Council Members Carole Coutts, Patricia Cummings Ronnie Moss and Shawn Wake. Others present were City Manager Matt LeCerf; Dir., Public Works Greg Decker; Dir., Public Safety Keith Wood; Dir., Finance Denise Town; City Attorney Doug Thomson and City Clerk Sheila Smail.

**PLEDGE TO THE FLAG**

Mayor Jackson led the pledge to the flag.

**INVOCATION**

The invocation was given by Reverend Paul McKim.

**APPROVAL OF AGENDA**

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

**CITY EMPLOYEE OF THE QUARTER**

Mayor Jackson announced that Ada Mae Wilmes was selected as the City Employee of the Quarter, for the second quarter of 2009. Ms. Wilmes has been employed with the Maryville Park and Recreation Department since the opening of the Community Center, in 2003, working as childcare worker, providing outstanding customer service for children of parents who come to the community center to workout and exercise.

**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.

**LAURA STREET BAPTIST CHURCH, REQUEST OF CARDBOARD BOAT RACE**

Reverend Paul McKim, Laura Street Baptist Church, approached the council requesting that on September 19, 2009 from 6:30 a.m. - 4:00 p.m., the Laura Street Baptist Church be allowed to hold a Cardboard Boat Race at Mozingo Lake. He also requested the use of a pavilion in the area. He noted that weekend will be Parent's Weekend at Northwest Missouri State University. Reverend McKim stated that life jacket and rescue boats will be available. Liability insurance and a sign hold harmless agreement have been submitted to the City, as required.

Thereupon, motion was made by Councilwoman Cummings, seconded by Councilman Moss, that Laura Street Baptist Church, be allowed to host a Cardboard Boat Race and utilize a pavilion at Mozingo Lake, on September 19, 2009. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Wake, yea; Mayor Jackson, yea. Motion carried.

**STREET CLOSURE REQUEST BY LAURA STREET BAPTIST CHURCH**

Reverend Paul McKim, Laura Street Baptist Church, asked the City Council to consider approval of closing one block of East Jenkins Street, between the Church and the parking lot that lies just south of the Church. The request was made for August 9, 2009, from 5:00 – 9:00 p.m. Laura Street Baptist Church is holding vacation bible school the first week of August and in conclusion they are planning a carnival in the parking lot across the street from the church, while other activities are going on in the church. Liability insurance and a sign hold harmless agreement have been submitted to the City, as required.

The City Council approved of the request made by Laura Street Baptist Church, of the closure of East

Jenkins Street, between the church and the parking lot to the south, on August 9, 2009, from 5:00 – 9:00 p.m.

### **CONSIDERATION OF INVESTMENT - NODAWAY COUNTY ECONOMIC DEVELOPMENT**

Darren Farnan, President and Jason White, Past-President of Nodaway County Economic Development (NCED) Board, made a formal request to the Council to consider support of NCED as the budget is being planned for the upcoming fiscal year. Appreciation was expressed for the past support the City has shown. The City Council was invited to attend an upcoming NCED meeting, which are held on the third Friday of each month at 7:00 a.m.

### **GREAT NORTHWEST WHOLESALE WATER COMMISSION**

Tye Parsons, Northwest Missouri Regional Council of Government, he presented the City Council, with information on the Great Northwest Wholesale Water Commission. He explained that the Water Commission is formed under Section 393, RSMo, and created to help regionally solve water problems. The Water Commission has developed a plan to provide accessibility to potable water to all water providers within the twelve (12) county Region in Northwest Missouri. A map was provided of the region proposed, depicting the locations of water treatment plants, pump stations, and storage tanks. The City Council was encouraged to learn more about the commission and consider the benefits of joining forces.

### **SEWER CONNECTION OF 25797 247TH STREET, DALLAS AND MELISSA MULLOCK**

The City Council had requested at the July 13, 2009, Council meeting that staff provide recommendations to be considered in establishing a policy on new sewer connections. The first recommendation was that no sewer connection be made for those outside the city limits. City sewer service is to be a benefit and in order to receive this benefit one must annex into the city limits.

As a second option, connection would be permitted with annexation or if not contiguous at the time of connection, annexation would be required upon being contiguous. It was also suggested that a formal agreement with the property owner, relieving the City of any responsibility of making initial infrastructure improvements related to water main lines, street improvements and other miscellaneous sewer improvements. An assessment would be made by the City, of the condition of the street and other infrastructure, upon providing sewer service. If other property owners want sewer service also, they should be required to develop a Neighborhood Improvement District (NID) to make necessary improvements to the infrastructure upon a reasonable amount of property owners annexing into the city limits. If a property cannot be annexed at the time sewer service is provided, a higher rate should be charged, until annexation is possible.

Council requested that Staff and City Attorney Thomson develop an agreement that the city would be comfortable entering, and allow Mr. and Mrs. Mullock to study it and decide whether they would agree to the terms offered.

### **ASPHALT OVERLAY PROJECTS (NORTH DEWEY/INTERLUDE ROAD REPAIRS)**

During the July 13, 2009 Council Meeting it was suggested that by doing a number of asphalt overlay jobs in the City which are in need of immediate improvement, but are not ideal for a complete overhaul, may be the best plan at the time. Streets picked for improvement may need ditch improvement as well as an overlay of asphalt. It was estimated that with a two inch (2") overlay, it would cost \$1.00 per sq. ft. (300' x 23') and an intersection measuring 625 sq. ft. would cost \$7,525. The cost of a 3" overlay would be \$1.60 sq. ft. and the intersection with a 2" overlay would have a total cost of \$12,040. It was discussed that some of the less traveled, but maintenance needed streets, could be resolved.

The City Council asked staff to make recommendations to the Council, of street that would most benefit from the plan. Funding for the plan could be taken from the capital improvement program.

### **SCHEDULING OF PUBLIC HEARINGS, SMOKE-FREE MARYVILLE**

Mayor Jackson requested possible dates to schedule Public Hearings for the Smoke-Free Maryville issue. It was decided the public hearings would be held on October 26 and November 9, 2009, at 6:00 p.m., before the regularly scheduled Council Meetings.

## **RESERVATIONS OF RV CAMPING AT MOZINGO LAKE**

Upon researching the common practices of reserving campsites at RV Parks, it was clear that reservations were taken in both private and State parks. State parks were noted to charge a fee for reservations, above and beyond the normal camping fee. City Council agreed to reserve five (5) RV spaces, on a trial bases.

## **MOZINGO TRAILS PROJECT, LOCH SAND CONTRACT, CHANGE ORDER NO. 1,**

The City Clerk presented a bill, being Bill No. 2009'64 for an Ordinance entitled:

### **An Ordinance Approving Change Order No. 1, of a Contract with Loch Sand and Construction, of the Mazingo Trails Project, Phase I, Mazingo Lake Park, Maryville, Missouri**

Change Order No. 1, of the Mazingo Lake Trails project, included additional costs, such as areas that cross a drive into various areas of the park need additional thickness to insure long term stability, at a cost of \$1,631.50. The trail has 10 locations, where crossing of street or entrance onto the trail, ADA panels are required at a cost of \$3,900.00. An extra segment is being proposed around playground area at the RV Park, to the current asphalt to comply with ADA regulations, at a cost of \$1,720.40. The total additional cost of the contract price is \$7,251.90. A possible deduction may be seen as well, at approximately \$500.00.

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 Councilwoman Coutts, seconded by Councilman Moss, that Council Bill 2009'64 Upon roll being called, the vote was as follows: Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Wake, yea; Councilman Moss, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7132 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

## **BANKING AND INVESTMENT SERVICES AGREEMENT – NODAWAY VALLEY BANK**

The City Clerk presented a bill, being Bill No. 2009'65 for a Resolution entitled:

### **City of Maryville, Missouri Banking and Investment Services Agreement Resolution**

As part of the contract with Nodaway Valley Bank, for the City of Maryville's banking and investment services, this and the following three (3) council bills are presented.

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 Councilwoman Coutts, that Council Bill No 2009'65 be approved. Upon roll being called, the vote was as follows: Councilwoman Cummings, yea; Councilman Wake, yea; Councilman Moss, yea; Councilwoman Coutts, yea; Mayor Jackson, yea. Motion passed.

Said bill was then numbered Resolution No. 551 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

## **NODAWAY VALLEY BANK eCORP RESOLUTION**

The City Clerk presented a bill, being Bill No. 2009'66 for a Resolution entitled:

### **City of Maryville, Missouri, NVB eCorp Resolution**

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 2009'66 be approved. Upon roll being called, the vote was as follows: Councilman Wake, yea; Councilman Moss,

yea; Councilwoman Coutts, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Resolution No. 552 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

#### **NODAWAY VALLEY BANK eCORP ACH RESOLUTION**

The City Clerk presented a bill, being Bill No. 2009'67 for a Resolution entitled:

##### **City of Maryville, Missouri NVB eCorp ACH Resolution**

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 2009'67 be approved. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Wake, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Resolution No. 553 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

#### **NODAWAY VALLEY BANK WIRE TRANSFER RESOLUTION**

The City Clerk presented a bill, being Bill No. 2009'68 for a resolution entitled:

##### **City of Maryville, Missouri, Wire Transfer Resolution**

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 2009'68 be approved. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Wake, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Resolution No. 554 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

#### **REPORTS**

##### **I. City Clerk**

- The Missouri Municipal League will be holding the annual MML Conference October 4-7, 2009, at Tantar-a, Osage Beach. Councilmen Moss and Wake indicated they would plan to attend.
- The council was informed of an inquiry made by a gentleman who asked about City requirements to begin a taxicab business in Maryville. He was informed there were no requirements, but his contact information was collected. The council was asked if the collection of information was sufficient, or if they would like to consider adopting an ordinance to require individuals requesting to operate inside the city limits, to have a background check done. City Clerk Smail will review information collected and report back.

##### **II. Council Members**

- Final review of Humane Society Ordinance will be held August 6, 2009

#### **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: Councilwoman Cummings, yea; Councilman Wake, yea; Councilman Moss, yea; Councilwoman Coutts, yea; Mayor Jackson, yea. Motion carried. Meeting was adjourned.

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Chad Jackson, Mayor

ATTESTED:

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Sheila Smail, City Clerk