

**Maryville City Council
Regular Meeting
March 09, 2009**

The Council of the City of Maryville, Missouri, met in regular session on Monday, March 09, 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 the roll was called by the Interim City Clerk, with the following present to-wit: Mayor Chad Jackson, Council Members Carole Coutts, Patricia Cummings and Ronnie Moss. Councilman Michael Thompson was not present. Others present were City Manager Matt LeCerf; Dir., Finance Denise Town; Dir., Public Works Greg Decker; Dir., Public Safety Keith Wood, City Attorney Doug Thomson and Interim City Clerk Amy Strough.

PLEDGE TO THE FLAG

Mayor Jackson led the pledge to the flag.

INVOCATION

An invocation was given by Councilwoman Cummings.

APPROVAL OF MINUTES

Mayor Jackson asked if there were any amendments to the minutes presented for regularly scheduled City Council meetings held February 09, and 23, 2009, a February 23, 2009 property owner's meeting for Safe Routes to School project, and for executive session minutes, discussing Mozingo Golf personnel, land availability near Mozingo, and land acquisition/negotiations with Public Water Supply District #1.

Motion was made by Councilwoman Coutts, seconded by Councilwoman Cummings, that the minutes be approved as presented. Upon the roll being called, the vote was as follows, Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Moss, 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. No persons appeared to be heard.

JAVA JOINT - REQUEST FOR 5% WINE BY THE DRINK ALCOHOL LICENSE

Stephanie Sledge, owner and manager of the proposed Java Joint, 314 North Main Street, scheduled to open late March, 2009, submitted a liquor license application, requesting a 5% Beer by the Drink "Wine", liquor license from the City of Maryville. City Manager LeCerf verified that Ms Sledge has met all requirements set by the city.

Thereupon a motion was made by Councilwoman Coutts, seconded by Councilman Moss, that a 5% Beer by the Drink "Wine" liquor license be granted to the Java Joint, contingent upon receiving a State and County license. Upon the roll being called, the vote was as follows: Councilwoman Cummings, yea; Councilman Moss, yea; Councilwoman Coutts, yea; Mayor Jackson, yea. Motion carried.

TREASURER'S REPORT

Dir., Finance Denise Town, noted large capital/non-recurring items for February 2009, which included the sum of \$26,659.00 to Consumer Oil for prepaid fuel that the city purchased as a locked rate and \$41,480.00 to Midland GIS for utility mapping.

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

PAYMENT VENDOR SCHEDULE

Motion was made by Councilwoman Cummings seconded by Councilwoman Coutts that the

payment vendor schedule be approved as presented. Upon the roll being called, the vote was as follows: Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Moss, yea; Mayor Jackson, yea. Motion carried.

GEN. OBLIGATION BONDS, REVENUE BONDS, CERTIFICATES OF PARTICIPATION

The interim City Clerk presented a bill, being Bill No. 2009'19 for a Resolution entitled:

A Resolution Authorizing the Offering For Sale of General Obligation Bonds, Revenue Bonds and Certificates of Participation For the City of Maryville, Missouri

City Manager LeCerf explained that Mr. Jack Dillingham, of Piper Jaffray & Company was unable to attend the meeting due to car problems. City Manager LeCerf explained the proposed sale of general obligation bonds, revenue bonds and certificates of participation. Some answers to questions detailing the proposals were uncertain.

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 2009'19 be tabled until Mr. Dillingham can give his presentation. Upon roll being called, the vote was as follows: Councilwoman Cummings, yea; Councilman Moss, yea; Councilwoman Coutts, yea; Mayor Jackson, yea. Motion carried.

CONTRACT WITH NODAWAY COUNTY COLLECTOR TREASURER

The City Clerk presented a bill, being Bill No. 2009'20 for an Ordinance entitled:

An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Ratify a Contract with the County of Nodaway, State of Missouri, for Collection of Taxes, in Entirety, for the City of Maryville, Missouri

City Manager LeCerf explained that Nodaway County Treasurer, Mary Noel, has submitted a new contract between the City of Maryville and Nodaway County, for the collection of city taxes by the

Nodaway County Collector Treasurer. The new contract will be in effect April 1, 2009. Marilyn Jenkins will assume the position of Nodaway County Collector Treasurer upon that date, as Ms Noel will be retiring. No other changes were noted in the contract.

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 Coutts, that Council Bill No 2009'20 be adopted. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilwoman Coutts, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7095 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. The contract was made a part of the original contract, being Contract No. 2007-11.

PURCHASE OF PORTABLE, CHANGEABLE MESSAGE SIGN, FROM SRTS GRANT

Mayor Jackson stated that this item is not ready to be presented. It will be addressed at the next regularly scheduled meeting.

ENGINEERING CONTRACT WITH OLSSON ASSOCIATES, ON SOUTH DEPOT STREET

The City Clerk presented a bill, being Bill No. 2009'21 for an Ordinance entitled:

An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Olsson Associates, For the Purpose of Providing Engineering services, of the 2009 Street Improvement Project, Maryville, Missouri

City Manager LeCerf recommended to the Council to approve executing a contract with Olsson

Associates to provide engineering services for the 2009 Street Improvement project, more specifically, for the South Depot Street area. Additional engineering services will be needed if plans are finalized with straightening the road in two (2) areas. An engineering cost proposal from Olsson Associates was submitted at \$129,700.00, including the preliminary engineering plan, final engineering plan, and bidding services and addendums as needed.

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 Coutts, that Council Bill No 2009'21 be adopted. Upon roll being called, the vote was as follows: Councilwoman Cummings, yea; Councilman Moss, yea; Councilwoman Coutts, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7096 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

PLANNING SUBCOMMITTEE REPORT TO THE JOINT PLANNING TASKFORCE

City Manager LeCerf presented a report from the planning subcommittee to the Joint Planning Task Force. The group consists of the Planning and Zoning Commission, working with Dir., Public Works Decker, and Mayor Jackson to investigate issues related to the growth and development of the City of Maryville and how it affects and the impact outside of the city limits, within Polk Township. It was discussed that the city, township and county work together to ensure the quality of infrastructure installed in these areas. Polk Township has considered adopting ordinances, similar to the requirements set forth by the City for infrastructure projects such as streets, water lines and sewer lines. The report submitted

contained key questions which need to be addressed in order to ensure proper management of growth and development.

Mayor Jackson reviewed the history and the intent of the project and suggested that in order to assure annexations in the future with infrastructure that meets the City's requirements, the entities will need to adopt a plan similar to those proposed in the report. A report will be taken back to the Joint Planning Task Force.

REPORTS

I. City Manager

- City Manager LeCerf reported that there will be an insert in the water bills, by the Humane Society, allowing for contributions to be made to the Humane Society.
- The shoulder expansion that was approved for Highway 136, East of Maryville to Liberty Road, for up to \$120,000. It was requested that the eastbound lane shoulder be extended another one hundred fifty feet (150'), to the crest of the hill as a safety precaution for crossing Highway 136 to Liberty Road. The cost of this extension would be \$4,000.
- Administrative staff will be participating in a reading program at the Maryville Public Library, where they will each pick a story book to read to children. They will also correlate the story to their jobs with the City, to explain their role as a City Administrator. Ms Town plans to begin the program in May.
- Maryville Public Safety has received a grant in the amount of \$8,035.60, from the Missouri Public Safety Association, and will be used to enforcing under age drinking laws.
- Dir., Public Works Greg Decker and Street Superintendent Jay Cacek went to Kansas City to receive an award for the City of Maryville, being recognized for the High Quality Engineering and Administration Performed on South Main Street's Design Build Project, being rated the Best Portland Cut Cement/Concrete Municipal Street and Intersection Paving of less

than 30,000 square yard.

II. Council Members

- Councilwoman Cummings asked what the Humane Society insert will say. An example of the insert was distributed to the council for review.
- Mayor Jackson said a letter from Habitat for Humanity stating that because of financial reasons, construction of a home has been postponed.
- Mayor Jackson acknowledged that additional feedback had been received and stated that feedback will continue to be received and that the issue will be considered at the next meeting.

EXECUTIVE SESSION

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

Discussion was had on 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, and 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.

Thereupon, motion was made by Councilwoman Coutts, seconded by Councilman Moss to come out of executive session. Upon the roll being called, the vote was as follows: Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Moss, yea; Mayor Jackson, yea. Motion carried.

ADJOURNMENT

Motion was made by Councilwoman Cummings, seconded by Councilman Moss that the meeting be adjourned. Upon the roll being called, the vote was as follows: Councilwoman Cummings, yea; Councilman Moss, yea; Councilwoman Coutts, yea; Mayor Jackson, yea. Motion carried.

Chad Jackson, Mayor

ATTESTED:

Amy Strough, Interim City Clerk