

**Maryville City Council  
Regular Meeting  
April 13, 2009**

The Council of the City of Maryville, Missouri, met in regular session on Monday, April 13, 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 City Clerk, with the following present to-wit: Mayor Chad Jackson, Council Members Carole Coutts, Ronnie Moss and Michael Thompson. Councilwoman Patricia Cummings arrived at 7:10 p.m. 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 City Clerk Sheila Smail.

**PLEDGE TO THE FLAG**

Mayor Jackson led the pledge to the flag.

**INVOCATION**

An invocation was given by Pastor Andrew Lovins, Community of Faith Church.

**APPROVAL OF MINUTES**

Mayor Jackson asked if there were any amendments to the minutes presented for regularly scheduled City Council meetings held March 09, and 23, 2009, a special meeting held March 12, 2009.

Motion was made by Councilwoman Coutts, seconded by Mayor Jackson, that the minutes be approved as presented. Upon the roll being called, the vote was as follows, Councilman Thompson, yea; Councilman Moss, yea; Councilwoman Coutts, 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.

**Petition of Annexation –24592 Business Hwy 71 North, Owned by Irene Foster**

The City Clerk presented a bill, being Bill No. 2009'28 for an Ordinance entitled:

**An Ordinance Acknowledge the Presentation of a Petition to Annex Property Location at 24592 Business Highway 71, North, Owned by Irene Foster, 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 was received from Irene Foster for annexation of property located at 24592 Business Highway 71 North, and that the property has been verified to be contiguous to the city limits of the City of Maryville. All required documents had been received. It was recommended that the Council accept the petition for annexation so staff can move forward on the annexation process.

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 Moss seconded by Councilwoman Coutts, that Council Bill No 2009'28 be adopted. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilwoman Coutts, yea; Councilman Thompson, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7099 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

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

The city received a partial reimbursement from Missouri Department of Transportation (MODoT) for the airport grant request #15, at \$137,416.00 and the final reimbursement from the Community Block Development Grant (CDBG) for the northwest sewer line project at \$76,404.00. The city paid White Cloud Engineering, \$39,406.00, for the MODoT water line project and Midland Engineering was paid \$19,300.00 for utility mapping project.

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

#### **PAYMENT VENDOR SCHEDULE**

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

#### **PURCHASE A 4WD UTILITY VEHICLE, WITH LIFT BOX FOR MOZINGO PARK MAINT.**

The City Clerk presented a bill, being Bill No. 2009'24 for an Ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri to Execute a Contract with Summa Implement, for the Purpose of Purchasing a 4WD, Utility Vehicles, with Lift Box, For Use at Mozingo Lake Park, Maryville, Missouri**

This item was postponed at the March 23, 2009 meeting because the bids received were over the budgeted amount. Consequently, research was done to find a used utility vehicle. A Bush Hog 4430, 4x4, was located at Summa Implement, for \$7,300.00.

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.

Motion was made by Councilwoman Cummings, seconded by Councilwoman Coutts, that Council Bill No 2009'28 be approved, to purchase a utility vehicle from Summa Implement. Upon roll being called, the vote was as follows: Councilman Thompson, yea; Councilman Moss, yea; Councilwoman Coutts, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7100 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. The contract was numbered as Contract No. 2007-16.

#### **PURCHASE OF 72" 4WD ROUGH MOWER, FOR MOZINGO PARK MAINTENANCE**

The City Clerk presented a bill, being Bill No. 2009'25 for an Ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Tri-Tractor, Inc., for the Purpose of Purchasing a 4WD Rough Mower, For Use at Mozingo Lake Park, Maryville, Missouri**

This Council bill was also postponed because bids received exceeded the budgeted amount. Bids on used mowers were gathered, with Tri-Tractor, Inc., submitting a quote for a Kubota Mower, at \$14,950.00. It was recommended the Council approve the purchase of the rough mower from Tri-Tractor, Inc.

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 Thompson, seconded by Councilwoman Cummings, that Council Bill No 2009'25 be adopted. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Thompson, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7101 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. The contract was numbered as Contract No. 2007-17.

#### **REPEAL/ADOPT NEW CHAPTER 705: WATER AND SEWER**

The City Clerk presented a bill, being Bill No. 2009'29 for an Ordinance entitled:

**An Ordinance To Repeal Chapter 7005: Water and Sewer, Title VII. Public Utilities, of the Municipal Code, of the City of Maryville, Missouri and to Adopt a New Chapter 705: Water and Sewer, Pertaining to the Same Subject**

Chapter 705: Water and Sewer, was reviewed in its entirety and changes were made in various sections. The most notable changes were the elimination of text that conflicted with verbage stated later in the document, which reserves the City the right to deny service outside the City limits. The amount of deposit collected at the time of application has been increased to \$125.00 for single family residents and multiple residential units were increased upon the number of units. Non-residential service deposits were priced according to the meter size. Adjustments of water bills, when applicable, reflected a maximum of \$450.00. All water rate fees were increased by ten percent (10%), while all sewer rates were increased by fifteen percent (15%). It was noted that the ordinance document presented had conflicting notations of the price of the water and sewer rates. The numerals in parentheses were the actual proposed amounts to be charged, while the numbers spelled out will be changed to reflect the actual amount to be charged. Discussion occurred to possibly increase rates another ten percent (10%) for the sewer customers living outside the city limits.

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 2009'29 be adopted will the change in the numbers spelled out to reflect the same as the numerals, on the new water and sewer rates. Upon roll being called, the vote was as follows:

Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Thompson, yea; Councilman Moss, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7102 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

Mayor Jackson asked that this topic be included on the agenda for the May 11, 2009 Council meeting to further discuss the possibility of charging an additional ten percent (10%) from approximately 100 sewer customers located outside the city limits.

**FINDING OF ELECTION OF CITY COUNCIL MEMBER, HELD APRIL 7, 2009**

The City Clerk presented a bill, being Bill No. 2009'30 for an Ordinance entitled:

**An Ordinance Finding and Declaring the Results of the General Election Held in the City of Maryville, Missouri, on April 7, 2009, Finding and Declaring that Shawn Wake Was Duly Elected as a Member of the City Council of the City of Maryville, Missouri, for a Three Year Term**

There were seven candidates completing for one City Council position with Shawn Wake duly elected. The results were as follows:

Kirk Larson	Total Votes	161	Joseph Belanger	Total Votes	21
James Dropinski	Total Votes	135	Brian Schimming	Total Votes	80
Shirley Mounts	Total Votes	42	<b>Shawn Wake</b>	<b>Total Votes</b>	<b>235</b>
William Sean Prescott	Total Votes	23	_____	Total Votes	0
			(write-in)		

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 Thompson seconded by Councilman Moss, that Council Bill No 2009'30 be adopted. Upon roll being called, the vote was as follows: Councilwoman Cummings, yea; Councilman Thompson, yea; Councilman Moss, yea; Councilwoman Coutts, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7103 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**OATH OF OFFICE**

The City Clerk administered the oath of Office to Shawn Wake. Following the oath of office, Councilman Wake took his position as a member of the City Council.

**APPOINTMENT OF MAYOR AND MAYOR PRO-TEM**

Mayor Jackson declared the floor to be open for nominations for Mayor.

Nomination was made by Councilwoman Cummings, that Mayor Jackson be re-appointed as Mayor of the City of Maryville, Missouri.

Motion was made by Councilwoman Cummings, seconded by Councilwoman Coutts that nominations cease. Upon the 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. Mayor Chad Jackson was appointed as Mayor for the coming year.

Mayor Jackson declared the floor open for nomination for Mayor Pro-Tem. Nomination was made by Councilwoman Cummings that Councilwoman Coutts be re-appointed as Mayor Pro-Tem for the coming year.

Motion was made by Councilwoman Cummings, seconded by Councilman Moss that nominations cease. Upon the roll being called, the vote was as follows: Councilman Moss, yea; Councilwoman Cummings, yea; Councilwoman Coutts, yea; Councilman Wake, yea; Mayor Jackson, yea. Motion carried. Councilwoman Coutts will serve as Mayor Pro-Tem for the coming year.

#### **PURCHASE OF COMPACT TRACTOR FOR MOZINGO GOLF MAINTENANCE**

The City Clerk presented a bill, being Bill No. 2009'31 for an Ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville to Execute a Contract with St. Joseph Tractor, for the Purpose of Purchasing a Compact Tractor, for Use at the Mozingo Golf Course Maintenance, Maryville Missouri**

Four (4) quotes were received for the purpose of purchasing a tractor to replace the 1969 Ford tractor presently used by Mozingo Golf Maintenance. A recommendation to purchase the John Deere 4720, with the trade-in of the 1096 Ford, at value of \$3,000.00, allowing the purchase of the John Deere at the budgeted amount of \$20,000.00.

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.

Motion was made by Councilwoman Cummings seconded by Councilwoman Coutts, that Council Bill No 2009' 31 be adopted. 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. 7104 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, with Contract being numbered as 2009-18.

#### **ADOPT SECTION 200.045: NOTICE TO LAW ENF. PERSONNEL, ILLEGAL IMMIGRANT**

The City Clerk presented a bill, being Bill No. 2009'32 for an Ordinance entitled:

**An Ordinance to Adopt Section 200.045: Notice to Law Enforcement Personnel-Compliance with Federal and State Immigration Laws, of the Maryville Municipal Code, Maryville, Missouri**

During the 2008 regular session of the Missouri Legislative 94<sup>th</sup> General Assembly a law was passed, referred to as "House Bill 1549" or now referred to as 67.307 RsMO. This law requires that a written notice be submitted to all law enforcement personnel stating that it is their duty to enforce all Federal, State and local Law Enforcement laws pertaining to the Illegal Immigration.

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' 32 be adopted. 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 carried.

Said bill was then numbered Ordinance No. 7105 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, with Contract being numbered as 2009-19.

#### **REPEAL/ADOPT SECTION 110.010: CREATION, COMPOSITION, QUALIFICATIONS**

The City Clerk presented a bill, being Bill No. 2009'33 for an Ordinance entitled:

**An Ordinance to Repeal Section 110.010: Creation, Composition, Qualification, of Title I, Chapter 110: Administrative Boards, Article I, Airport Boards, Article I. Airport Board, of the Maryville Municipal Code, and to adopt a New Section 110.010: Creation, Composition, Qualifications, Pertaining to the Same Subject**

Due to the Northwest Missouri Regional Airport serving the region as well as the city, it was recommended that the airport board be allowed to encompass members outside the city limits, but within Nodaway County and with no more than three (3) of seven (7) members residing outside the city limits

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 2009' 33 be adopted. 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 Ordinance No. 7106 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

#### **ROBERTSON CRIST PARK DRAINAGE PROJECT**

The City Clerk presented a bill, being Bill No. 2009'34 for an Ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract With White Cloud Engineering and Construction, For the Purpose of Providing Design Building Service for the Robinson Crist Park Drainage Improvement Project, Between Katy Drive and Lisa Lane, Maryville, Missouri**

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 2009' 34 be adopted. 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 Ordinance No. 7107 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, with contract being identified as Contract No. 2009-20.

### **MOZINGO HOUSE PROJECT**

Discussion was had regarding the possible use of the Mozingo House, 32153 U.S. Highway 136, through a partnership with the University, for various educational and marketing opportunities. He stated that he and Dr. Terry Robertson have been working together to develop a scope of service and expectations in establishing this project.

The house would be converted into a facility for visitors and an epicenter beginning certain activities, being operated by Northwest Missouri State University (NWMSU) students. These students would act as a board, learning to make administrative decisions under the Council or department guidance. Major changes to the grounds or building, would require approval from City Administration.

Plans of construction preparations were outlined as well as the day to day operations of the facility. An agreement between the City and the University would need to be established. The University will provide an insurance policy and be obligated to all liabilities associated with the facility and hold harmless by indemnifying the City of Maryville.

NWMSU will staff and pay all utilities connected with the facility. The hours of operation and whether the facility will be open on holidays, were uncertain. The Council directed to report back on these questions and to move forward on the project.

### **WATER PARTNERSHIP FOR NWML**

For the past four (4) years the Water Partnership of Northwest Missouri, including County, Municipal and Water System representatives; Northwest Missouri State University, University of Missouri Extension, and the Department of Natural Resources has worked together to establish a regional water grid to supply water to all of Northwest Missouri, so that individuals and communities do not have to consider the possibility of running out of water or the quality of the water available.

This Water Partnership has achieved a number of accomplishments including Phase I, which performed a baseline study that identified seven (7) water systems that have the capacity to continue to meet the demands of their service and other near by communities. This document is known as "Sketch #7", and was intended to generate water and transport water to and between cities, water districts and wholesale water commissions. The City of Maryville was noted as one of those seven (7).

Phase II developed a feasibility study reviewing initial construction costs, replacement costs, annual operation and maintenance costs and water purchase cost for consumers. In order for this project to be successful, a more sensible approach would be to do the project in phases since the estimated price for construction of infrastructure was \$171 million. Replacement costs for pump station on an annual basis was \$1.8 million. It was concluded in the study that the City of Maryville would no longer become a hub. The three (3) hubs were identified as Atchison County Wholesale Water Commission, Missouri America Water Company in St. Joseph, and the City of Plattsburg. The estimated demand for water in year 2030 is 26.25 million gallon per day, when all phases were completed.

Out of this Water Partnership, has immersed the Great Northwest Wholesale Water Commission, which is still in its development stages. The City Manager had the opportunity to listen to the direction the group has been going and has tried to gauge the interest and benefits the City might realize in joining this group. One of the primary projects will be to establish a Chapter 393, which is to establish the organization and its functions, which is to address water concerns and the sale of water. The initial members will be required to provide \$3.00 per meter, per year for a three year period, which would be

\$10,800, based on 3,600 meters in the City. These fees will assist in the development of Chapter 393 and administrative requirements associated with the group. The City would not have any other financial obligations until the Great Northwest Wholesale Water Commission incurs debt associated with the development of Sketch #7. Before debt is incurred, organizations which are a part of the group would have an option to opt out of the organization and absolve them of any financial responsibilities.

A representative of the Great Northwest Wholesale Water Commission may attend a Council meeting in the near future to gauge the interest in joining the organization.

#### **CAPITAL IMPROVEMENT TAX PLAN (CIP) UPDATE**

City staff has been working on the Capital Improvement Tax planned improvements, and projects related to the street program. The city has continued development of design engineering services with Olssen Associates to make improvements to West 16<sup>th</sup> Street and South Depot Street. So far, the primary design for West 16<sup>th</sup> Street is complete and it is expected that the final design will be available by mid-April, at which time it will be ready for the bid process. South Depot Street surveying has been completed and three (3) possible layouts are being drawn up by the engineers for consideration by City Council and staff. When completed, staff will present the plans to the Council for recommendations on moving forward on the final design.

The City Manager recommended the City take advantage of any money available through economic stimulus dollars, but with the uncertainty of the awarding of these dollars through the Federal and State governments, it is unknown when these funds might become available. The Council was asked for direction as to holding off for the possibility of stimulus money becoming available or to move forward with the CIP funds. One million seven hundred thousand dollars (\$1,700,000.00) of the CIP money has been spent and the estimated cost is \$3 million for both the West 16<sup>th</sup> Street and South Depot Street projects, making 4.7 million. According to Resolution No. 534, adopted prior to the passage of the Capital Improvement Tax Plan, it was noted that \$4.8 million dollars would be spent on street improvements, which would leave \$100,000. There are risks deciding to go either way, but if the projects are done now the chances of receiving stimulus money are eliminated. Because of the possibility of the long term benefit, it was recommended to wait on these projects.

Another portion of the CIP funds had been earmarked for storm siren improvements. A grant has been identified to support this project but there have been significant delays with the grant.

#### **PURCHASE OF GEOGRAPHIC INFORMATION SYSTEM (GIS) SOFTWARE**

Staff requested to purchase additional Geographic Information System (GIS) software to make a more dynamic and capable software for the GIS data for the cemetery and water and sewer projects. The requested software was quoted by Environmental Systems Research Institute, Inc. (ESRI) at \$5,725.49, and was budgeted.

Thereupon motion was made by Mayor Jackson, seconded by Councilwoman Coutts, to purchase the proposed GIS software from Environmental Systems Research Institute, Inc., at the cost of \$5,725.49. 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. The purchased will be identified as Contract No. 2009-21

#### **MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF MARYVILLE AND COMMUNITY SERVICES, INC.**

A Memorandum of Agreement between the City of Maryville and the Community Services Inc., was presented to facilitate shared services that are realized and associated with the Home Repair



Opportunity (HeRO) program. Both, the City of Maryville and the Community Services, Inc. were recipients of the grant program, for 2009.

Thereupon motion was made to participate in the Agreement between the City of Maryville and the Community Services, Inc., in facilitating shared services with the Home Repair Opportunity program. 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. The agreement will be identified as Contract No. 2009-22.

## **REPORTS**

### **I. City Clerk**

The City Clerk reported that the Planning and Zoning Commission had two (2) members' terms are scheduled to terminate May 1, 2009. Those members included Rex Wallace and Kathy Rice, both indicating they would serve another term. An application was received by Mark Galbraith, requesting to be considered as a member of the Planning and Zoning Commission of the City of Maryville.

Thereupon, motion was made by Councilwoman Cummings, seconded by Councilman Moss, that Rex Wallace and Kathy Rice be re-appointed to the Planning and Zoning Commission and that Mark Galbraith be appointed to the Planning and Zoning Commission, for a three year term.

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.

### **II. City Manager**

- The Beautification Project, which will be recognizing businesses for their efforts in dressing up their store fronts, is moving forward. The Tree Board has agreed to select the winner. Nominations will be made by another source.
- The Arbor Day Ceremony will take place on NWMSU grounds, Friday, April 24, 2009, at 3:00 pm. Everyone was invited to attend.
- The City has submitted requests for Financing of the Mozingo Lake Golf Course Cart Paths project. A false rumor was circulating that the city was going out for re-bid of construction of the golf cart path project. The construction limit was set at \$720,000.00 but the Financing bid is for \$700,000.00. The remaining balance will be taken from Mozingo reserves, if necessary. The original bid was \$680,000.00.
- The wastewater project is being considered with possible alternatives that qualify with slight changes to the existing, for less money. The current facility is 200,000 gallon from capacity. The City shall consider whether to plan for future growth above and beyond the capacity of another 200,000 gallon to avoid dealing with this issue again years later.

The Missouri Department of Natural Resources (MDNR) has emphasized if the city changes the design flow, a different set of requirements will need to be met. Some work on the lagoons will be required even though the design load is not changed. The City is permitted at 1.7 million gallons of discharge, per day. It is suspected that eventually the City will be required by MDNR to meet infiltration requirements.

### **City Council**

- The recently revised ordinance dealing with issues related to the Humane Society will be available by the end of the month and ready for the City Manager and City Clerk to review.
- Transportation Advisory Committee (TAC) meeting was held a week prior. The enhancement grants are 100% reimbursed.

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

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Chad Jackson, Mayor

ATTESTED:

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Sheila Smail, City Clerk