

APRIL 14, 2008

The Council of the City of Maryville, Missouri, met in regular session on Monday, April 14, 2008, at City Hall in said City at 7:00 p.m.

PUBLIC HEARING

Mayor Jackson opened a public hearing discussion of the Proposed Changes to the Title VI: Business and Education; Article II: Enforcement – Duties and Powers, and Article III: Licenses, of the Municipal Code, of the City of Maryville, Missouri and to Adopt a New Title VI, Article II and III, of the Maryville Municipal Code.

City Clerk Smail stated that she, Dir., Public Safety Wood, and Dir, Public Works Decker met with liquor license holders to discuss the proposed changes to the Title IV, pertaining to liquor license requirements. City Clerk also visited with Chuck Bidding, Missouri Liquor Control Agent, to discuss the proposed changes.

Mayor Jackson invited any person wishing to address the Council to express their view of the issues being proposed, to come forward and state their name and address for the record. No person appeared to be heard. Mayor Jackson closed the public hearing.

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, Pat Cummings, Michael Thompson and Jerry Wilmes. 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; Human Resource Manager Amy Strough 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, Laura Street Baptist Church.

APPROVAL OF MINUTES

Mayor Jackson asked if there were any amendments to be made to the minutes presented for the March 10, 12, 24, and April 3, 2008, City Council meetings.

Mayor Jackson indicated that in the March 24, 2008 minutes, under City Manager's Report, last sentence, it should read, "The airport runway strength has been tested, being the aircraft gross weight of 22,750 at 500 departures.

Motion was made by Councilwoman Cummings, seconded by Councilwoman Coutts, that the minutes of the meetings, be approved as amended. Upon the roll being called, the vote was as follows, Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Thompson, yea; Councilman Wilmes, 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.

Mark Carmichael, 713 West Third Street addressed the council with his concern regarding the plans of the NW Foundation to build a structure that will be used for large gathering. Mr. Carmichael requested that the City not issue a permit for the proposed construction.

Bill Ingels, 524 Carefree Drive, congratulated the council on the passage of the one-half cent sales tax for capital improvements. He suggest that they consider beginning the street projects as soon as possible. It was of his opinion that the money would go farther if the projects were done sooner than later, because of inflation.

Mrs. Donna Wilmes, 410 East Torrance Street, returned to visit with the council about a drainage issue that she had previously brought before the council. She stated that the drainage issue still exists and that there is still a sewage problem coming from 725 South Vine Street. City Manager LeCerf stated that they were aware of the drainage issue but there have not been funds available to address the issue. As for the sewage problem, city officials will take a look at it and report back.

TREASURER'S REPORT

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

PAYMENT VENDOR SCHEDULE

Motion was made by Councilman Wilmes, 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 Thompson, yea; Councilman Wilmes, yea; Mayor Jackson, yea. Motion carried.

REPEAL/ADOPT NEW TITLE VI, ARTICLE II AND III, LIQUOR LICENSES

The City Clerk presented a bill, being Bill No. 2008'29 for an Ordinance entitled:

An Ordinance to Repeal Title VI: Business and Education; Article II: Enforcement-Duties and Powers, and Article III: Licenses, of the Municipal Code, of the City of Maryville, Missouri and Adopt a New Title VI, Article II and III, Pertaining to the Same Subject

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.

City Clerk Smail reiterated that a meeting was held with liquor license holders and the Liquor Control agent. She added that City Attorney Doug Thomson has made recommendations of changes to the ordinance, which were handed out that evening.

Councilman Thompson questioned the reason for charging the maximum amount allowed by the State of Missouri, which is one and one-half of what the State charges.

City Clerk stated that this cost was established to cover the time spent in clerical work and fire and life safety inspections.

The council requested that a breakdown of the cost incurred by the City for issuance of the licenses be calculated and brought back to the next meeting.

CHANGE ORDER NO. 2 - COMPLETION OF EAST LIFT STATION

The City Clerk presented a bill, being Bill No. 2008'30 for an Ordinance entitled

An Ordinance Approving change Order No. 2 with White Cloud Engineering and Construction, for the Contract for construction of the East Lift Station, Maryville, Missouri, and Authorizing the Mayor and City Clerk to execute the Same

Upon motion duly made and seconded, said bill was read by title in 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 Cummings, and seconded by Councilman Wilmes that Council Bill No. 2008'30 be adopted. Upon roll being called, the vote was as follows: Councilman Wilmes, yea; Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Thompson, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7000, was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

NEW BUSINESS

OATH OF OFFICE - PATRICIA CUMMINGS AND RONNIE MOSS

City Clerk Smail administered the oath of Office to Council members Patricia Cummings and Ronnie Moss.

Following the oath of office, Councilman Moss 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 to take nomination for Mayor.

Motion was made by Councilwoman Coutts, seconded 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: Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Thompson, yea; Councilman Moss, yea; Mayor Jackson, yea. Motion carried.

Mayor Jackson declared the floor to be open to take nomination for Mayor Pro-Tem. Motion was made by Mayor Jackson, seconded by Councilwoman Cummings, that Councilwoman Coutts be appointed as Mayor Pro-Tem of the City of Maryville, Missouri.

Motion was made by Councilwoman Cummings, seconded by Councilman Jackson, that nominations cease. Upon the roll being call, the vote was as follows: Councilwoman Cummings, yea; Councilman Thompson, yea; Councilman Moss, yea; Councilwoman Coutts, abstained; Mayor Jackson, yea. Motion carried.

FINDINGS OF ELECTION OF CITY COUNCIL MEMBERS, APRIL 8, 2008

The City Clerk presented a bill, being Bill No. 2008'37 for an Ordinance entitled

An Ordinance Finding and Declaring the Results of the General Election Held in the City of Maryville, Missouri on April 8, 2008, Finding and declaring that Patricia Cummings and Ronnie Moss were Duly Elected as a Member of the City Council of the City of Maryville, Missouri, for a Three year Term

Upon motion duly made and seconded, said bill was read by title in 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 in 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 Cummings, seconded by Councilman Thompson that Council Bill No. 2008'38 be adopted. 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. 7001, was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

FINDINGS OF PROPOSITION FOR ONE-HALF CENT SALES TAX-CAPITAL IMP.

The City Clerk presented a bill, being Bill No. 2008'38 for an Ordinance entitled

An Ordinance Finding and Declaring the Results of an Election Held in the City of Maryville, Missouri, on April 8, 2008, at Which Time There Was Submitted to the Qualified Voters of the City of Maryville, Missouri, a Proposition Imposing a Tax for Capital Improvement Projects, on All Sellers of Selling Tangible Personal Property or Rendering Taxable Service at Retail at the Additional Rate of One Half (½) Cent on the Receipts From the Sale at retail of All Tangible Personal Property or Taxable Service at Retail Within Said City, If Such Property and Services are Subject to Taxation by the State of Missouri Under the Provisions of Section 144.010 to 144.510 RSMo., and Finding That Said Proposition

Upon motion duly made and seconded, said bill was read by title in 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 in 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 Cummings, seconded by Councilman Moss that Council Bill No. 2008'38 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. 6997, was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

MARYVILLE TREATMENT CENTER - WORK RELEASE PROGRAM

The City Clerk presented a bill, being Bill No. 2008'39 for an Ordinance entitled

An Ordinance Authorizing the Mayor of the City of Maryville to Execute a work Agreement with Missouri Department of Corrections, Division of Adult Institutions, Maryville Treatment Center, to Provide for Offenders to Work for the City of Maryville, Missouri

Upon motion duly made and seconded, said bill was read by title in 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 in 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 Cummings, seconded by Councilman Moss that Council Bill No. 2008'39 be adopted. 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. 6998, was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

PURCHASE OF SUV FOR MOZINGO LAKE PATROL

The City Clerk presented a bill, being Bill No. 2008'40 for an Ordinance entitled

An Ordinance Authorizing the Mayor of the City of Maryville to Execute a Contract With Schreck Motors, of the Purposed of Purchasing a 2004 Ford Explorer for the Mozingo Lake Patrol Department, Maryville, Missouri

Upon motion duly made and seconded, said bill was read by title in 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 in 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 Cummings, seconded by Councilman Moss that Council Bill No. 2008'40 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. 6999, was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

DISCUSSION: CAPITAL IMPROVEMENT TAX

City Manager LeCerf provided a document assessing the order of importance determined by the Council and staff for items proposed for the capital improvement tax projects. The project most chosen is street improvements and secondly storm sirens. It was thought that there may be opportunity to apply for a grant for the storm sirens.

MISSION/VISION/VALUES STATEMENT

Mayor Jackson asked the council members and staff to review the purposed Mission Statement, Vision Statement and Values Statement for the City of Maryville. He requested comments for any changes needed.

Councilwoman Cummings suggested that the Mission Statement should exclude "amongst its citizens". Others agreed.

With no further suggestions, a motion was made by Councilman Moss and seconded by Councilman Thompson that the purposed Statements be adopted, with the noted deletion to the Mission Statement. 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.

REPORTS

City Manager

City Manager LeCerf reported that HDR Engineering would present their findings of verification of the wastewater facility, at the April 28, 2008 council meeting. Mr. LeCerf reported that the ice storm debris cleanup is in progress.

Council Member

Councilwoman Cummings requested that the biking lane on North Country Club Road be cleared of wood chips. She stated that it was a danger to bikers.

Councilman Moss suggested the City Council should be proactive in planning for the City's future and that they consider allocating funds to go to Washington D.C. to ask for funds for the various needs of the city.

Councilman Thompson supported Councilman Moss' suggestion.

Mayor Jackson congratulated Councilwoman Cummings and Councilman Moss on being elected to the city council. He added that the City of Maryville has recently been named as "Tree City USA", for the tenth year.

ADJOURNMENT

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

Mayor, Chad Jackson

ATTESTED:

City Clerk, Sheila Smail