

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

The Council of the City of Maryville, Missouri, met in regular session on Monday, April 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, Ronnie Moss and Shawn Wake. Councilwoman Patricia Cummings arrived at 7:06. 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

An invocation was not given.

PRESENTATION OF EMPLOYEES OF THE QUARTER

Sergeant Jeremy Ferris and Public Safety Officer Adam James were presented the Employee of the Quarter Award of first quarter of 2009. In the early morning hours they confronted an employee of Watkin's True Value Hardware store and another individual, who were in the act of stealing items commonly used in manufacturing methamphetamines. The arrests lead to a search warrant resulting in a small methamphetamines laboratory on a premise in Hopkins, Missouri. Additional information was gathered beneficial to federal officers who were investigating a large crime ring of activity in the Iowa/Missouri area. They were commended for a job well done.

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.

PUBLIC HEARING: APPLICATION FOR CDBG PROGRAM – STRUCTURE DEMOLITION

Mayor Jackson opened the public hearing for the preparation of application for a grant through the Community Development Block Grant (CDBG) program. Mayor Jackson introduced Mr. Arnie Kreek, of the Northwest Missouri Regional Council of Government.

Mr. Kreek requested all present to identify themselves and their representation, by completing the sign-in sheet. He stated that he was looking for input from the public on the proposed grant. The grant being applied for is intended to assist in demolition of dilapidated housing in Maryville. It was determined that twenty-one (21) residential houses and one (1) commercial building had been identified to qualify as part of the grant.

The City of Maryvile was committed to pay \$5,000 as a cash contribution and \$25,000 as an in-kind contribution. A cost of \$425 house demolition inspections, per house, \$500 for capping and removing utilities, and a \$5 cut in tipping fee for removal of the debris, will be included. The exact amount of funds requested is still to be determined but the City will be requesting approximately \$135,000, with a maximum allowable of \$125,000 for residential properties. The remainder is for the identified commercial structure. A needs assessment of the Maryville community was taken, being rated on a scale of 1-5, with 5 being high on availability, with the following results:

Housing Availability:

Duplexes for rent – 2
Medium to Large Apartments (2+ bedrooms) – 2

Sufficient Availability:

Primary Care Physicians - 2
Health care Specialist – 3

Low Price Single Family Res. (\$40,000 and under) – 1
Single Family Homes \$40,000 - \$90,000 – 2
Single Family Homes over \$90,000 - 4

Job Availability:

Unemployment rate for Nod. County - 6.2%
(Rated 1-5)
Skilled jobs - 2
Non-skilled jobs - 3
Availability of training for skilled jobs - 4

Walk-in Clinics - 1
Mobile Clinics - 1
Dentists – 4
Home Care Services - 4
Licensed Child Daycare - 2
Youth and Elderly Services – 2
Substance Abuse Programs – 3
Patient Transportation Serv.–4
Emerg. Management Serv.–3

Five (5) top priority needs of the City were determined to be:

1. sewer treatment,
2. sewer collection
3. water distribution
4. city streets, sidewalks, pedestrian accessibility
5. unsafe and dilapidated residences

Following the needs assessment, Mr. Kreek asked if there were any questions. No persons requested to be heard. Mr. Kreek completed his presentation.

With no further discussion, Mayor Jackson closed the public hearing.

NODAWAY COUNTY FAIR PARADE ROUTE APPROVAL

An application for approval of the proposed parade route for the Nodaway County Fair Parade, was received from Phil Cobb. The event is scheduled to be held on Saturday, July 18, 2009. Mr. Cobb was only to obtain approval for the route and that the insurance and other information will be obtained at a later date, from the Fair Board. The route proposed is the same as it was last year. The Council approved the proposed route. The insurance was received from the Fair Board, prior to the event.

APPOINTMENT OF AIRPORT BOARD MEMBER

An application was received from Mr. Bruce Twaddle, requesting to be considered as an Airport Board Member, to fill an opening. Mr. Twaddle has served on the Airport Board in the past but when he and his family moved outside the city limits he was required to resign. Since that time, the City Council has adopted a new ordinance allowing three (3) of the seven (7) members to reside outside the city limits.

Motion was made by Councilwoman Cummings, seconded by Councilwoman Coutts, that Mr. Bruce Twaddle be appointed to the Northwest Missouri Regional Airport Board. 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.

ADOPTION OF IDENTITY THEFT PREVENTION POLICY – RED FLAG

The City Clerk presented a bill, being Bill No. 2009'35 for a resolution entitled:

An Ordinance to Adopt an Identity Theft Prevention Program, Maryville, Missouri

City Manager LeCerf stated the Identity Theft Prevention Program, also known as the Red Flag program, has been mandated by the State of Missouri, but ultimately sent down by the Federal Trade Commission.

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. 2009'35 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. 7108 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

PURCHASE OF DOUBLE DRUM VIBRATING STEEL ROLLER, STREET DEPARTMENT

The City Clerk presented a bill, being Bill No. 2009'36 for a resolution entitled:

An Ordinance Authorizing the Mayor of the City of Maryville, Missouri to Execute a Contract with Murphy Tractor, for the Purpose of Purchasing a 2008 Hamm HD13BB, Double Drum Vibrating Steel Roller for Use by the Street Department, Maryville, Missouri

Last year's budget included \$50,000.00 for the replacement of a double drum vibrating steel roller for the Street Department. Bids were received from Victor L. Phillips and Murphy Tractor, Inc. Both bids met the specifications requested. Staff requested approval to purchase of the 2008 Hamm HD13BB from Murphy Tractor at the price of \$43,500.00, with the trade-in of the 1986 Caterpillar with a credit of \$2,500.00, and a net cost of \$41,000.00.

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 2009'36 be approved. 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. 7109 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, with the contract being identified as Contract No. 2009-23

LEASE/PURCHASE FINANCING, MOZINGO GOLF CART PATH PROJECT

The City Clerk presented a bill, being Bill No. 2009'37 for a resolution entitled:

An Ordinance Authorizing the Mayor of the City of Maryville, Missouri to Execute a Contract with Nodaway Valley Bank, for the Purpose of Lease/Purchase Financing for the Mozingo Lake Golf Cart Path Project, Maryville, Missouri

Requests for financing proposals for construction of the Mozingo Golf Cart Path were sent to local banks and Mo Public Utility Alliance, with the closing date and time being, April 21, 2009, at 4:00 pm. Two responses were received from local banks. Citizens Bank and Trust declined to submit due to the term and rate structure requested. Nodaway Valley Bank's proposal was at 4.485%, with no additional cost to the city, and a monthly payment of \$8,691.19, for 96 equal monthly payments, or eight (8) years, to coincide with the remaining years left on the sales tax. It was recommended that Nodaway Valley Bank be granted 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 Councilman Moss, that Council Bill No 2009'37 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 Ordinance No. 7110 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, thus contract being identified as Contract No. 2009-24.

CHANGE ORDER NO. 9, AIRPORT CONTRACT, WITH LOCH SAND & CONSTRUCTION

The City Clerk presented a bill, being Bill No. 2009'38 for an Ordinance entitled:

An Ordinance Approving Change Order No. 9, of a Contract with Loch Sand and Construction Company, For the Purpose of Construction of the Airport Runway Extension, Taxiway, Apron, and Lighting, at the Northwest Missouri Regional Airport, Maryville, Missouri

A request of a twenty (20) calendar day extension was made and identified as Change Order No. 9, of the original contract, being Contract No 2007-55, between the City of Maryville and Loch Sand and Construction Company, pertaining to the airport improvement project at the Northwest Missouri Regional Airport.

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 2009'37 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 Ordinance No. 7111 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM – DEMOLITION GRANT

A. The City Clerk presented a bill, being Bill No. 2009'39 for a resolution entitled:

A Resolution Of The City Of Maryville, Missouri, Stating Intent To Seek Funding Through The Community Development Block Grant Program And Authorizing The Mayor/Presiding Commissioner To Pursue Activities In An Attempt To Secure Funding.

City Manager LeCerf explained that the three resolutions and one ordinance were presented as a part of the CDBG application for a grant to demolish qualified residential structures and a commercial structure.

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 Councilman Moss, seconded by Councilman Wake, that Council Bill No 2009'39 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. 547 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

B. The City Clerk presented a bill, being Bill No. 2009'40 for a resolution entitled:

Residential Anti-displacement and Relocation Assistance Plan

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 2009'40 be approved. 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 Resolution No. 548 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

C. The City Clerk presented a bill, being Bill No. 2009'41 for a resolution entitled:

Excessive Force 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 Councilwoman Coutts, that Council Bill No 2009'41 be approved. 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 Resolution No. 549 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

The following ordinance was excluded from the packet and agenda during preparation, but because of the urgency to have this document accompany the application process, it was voted upon by the Council to amend the agenda to include the Council Bill No. 2009'43.

Motion was made by Councilwoman Cummings, seconded by Councilman Wake, that the agenda be amended to include Council Bill No 2009'43 to be considered. 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.

D. The City Clerk presented a bill, being Bill No. 2009'43 for an ordinance entitled:

An Ordinance Establishing Housing Demolition Grant Guidelines Under the City's 2009 State Community Development Block Grant (CDBG) Application.

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 Coutts, seconded by Councilwoman Cummings, that Council Bill No 2009'43 be approved. 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. 7112 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

PROFESSIONAL ADMINISTRATIVE SERVICES – NWMORCG - CDBG PROGRAM

The City Clerk presented a bill, being Bill No. 2009'42 for an ordinance entitled:

An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Northwest Missouri Regional Council of Governments, for the Purpose of Providing Professional Administrative Services, for a Demolition Project, Finances with Community Development Block Grant (CDBG) Funds

One (1) request for proposal was received, for Professional Administrative Services for application of grant through the Community Development Block Grant (CDBG), for the demolition of qualified dilapidated residential and commercial structures, in Maryville.

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 2009'44 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 carried.

Said bill was then numbered Ordinance No. 7113 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. 2009-25.

PARTICIPATION OF BACK TO SCHOOL SALES TAX HOLIDAY

Notification had been received by the Secretary of State inviting municipalities to participate in the 2009 Back to School Sales Tax Holiday, beginning at 12:01 am, on Friday, August 7, 2009, and end at midnight on Sunday, August 9, 2009. If the City elects to participate, no further action is needed. But, if it is determined that the City will opt out of participation in 2009, an ordinance must be presented and voted upon to opt out of the 2009 Back to School Sales Tax Holiday. A copy would then be forwarded to the Missouri Secretary of States Office. The Council agreed to participate again in 2009.

LANDFILL/TRANSFER STATION TIPPING FEES

Council and Staff discussed during budget preparations of the 2008-2009 Fiscal Year, the costs associated with operation of the transfer station and landfill, with a projected negative fund balance of \$125,000.00. Trimming costs such as the City Wide Cleanup program, reduction of the number of Saturdays open during the spring, summer and fall, and a few other minor cuts, the deficiency was cut to \$97,000. The largest expenses of the Solid Waste fund are the Hamm's contract for transporting and disposal of trash and the costs of the required ground water monitoring at the landfill. Six (6) months into the fiscal year, the City is at a negative \$44,525.00, with a fiscal year end projection of negative \$89,050.00. Local trash haulers are aware of the difficult situation the City is experiencing. The possibility has been discussed of raising tipping fees to make up for some of the deficit. A report was available to compare the tonnage and revenue collected from March 2008 thru March 2009. It was decided that local trash haulers should be invited to a meeting with city officials to discuss feasibility options of raising tipping fees and maintaining volume or consideration of closing the transfer station.

REPORTS

I. City Manager

- May 15, 2009, is the deadline for the application for the enhancement funds. Trails and pedestrian surfaces along South Main Street, was suggested as the subject for application for enhancement funds.
- Consideration of the City offering corporate golfing memberships was discussed. City Manager LeCerf will do some research to find what others do in providing offers of this nature.
- A local hotel manager inquired about providing a package deal to include a hotel stay and a Mozingo golf outing. It was asked if the hotel manager would be interested in supporting a

hotel/motel tax. The City Manager will present the question to the hotel manager.

II. Council Members

- Referring to the People’s Services Report, it was asked what the “good news” was, that People’s was referring to on the report. It was asked that a report be given at the next meeting.
- The next Task Force meeting will be held on May 18, 2009
- There will not be a regularly scheduled meeting on the fourth Monday of May, because it is Memorial Day.

ADJOURNMENT

Motion was made by Councilwoman Cummings, seconded by Councilwoman Coutts that the meeting be adjourned. 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. Meeting was adjourned.

Mayor, Chad Jackson

ATTESTED:

City Clerk, Sheila Smail