

Maryville City Council
Regular Meeting
September 22, 2008

The Council of the City of Maryville, Missouri, met in special session on Monday, September 22, 2008, 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, Michael Thompson. Patricia Cummings, Ronnie Moss. Others present were City Manager Matt LeCerf; Dir., Public Works Greg Decker; 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

Councilwoman Cummings gave the invocation.

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 one appeared to be heard.

HELMET REQUIREMENT FOR SCOOTERS/MOTORIZED BIKES

City Clerk stated that research had been done as to what other cities require for helmets while riding a scooter or any motorized bike. She had drafted an ordinance and forwarded it to City Attorney Thomson for his review. Upon review of the Chapter, Mr. Thomson made several suggestions to update different sections of the Chapter. Discussion was had regarding the proposed changes. Attorney Thomson will develop a revised chapter to be presented to the Council.

ADDITIONAL ASPHALT WORK

City Manager Lecerf requested the Council consider allowing additional asphalt work to be done by Keller Construction Company as they are milling and overlaying the areas approved by the Council on August 11, 2008. The additional work would be taken from the Street Department asphalt overlay account. An ordinance will be presented at the next meeting.

TATTOOING, BODY PIERCING, AND BRANDING

The City Clerk presented a bill, being Bill No. 2008'99 for an Ordinance entitled:

An Ordinance to Adopt Section 610.010: License Requirements and Section 610.020: Regulations and Inspections, of Chapter 610: Tattooing, Body Piercing and Branding, of Title VI: Business and Occupation, of the Maryville Municipal Code, Requiring Owners, Managers, and Employees Practicing the Trade of Tattooing, Body Piercing and/or Branding to be Licensed With the State of Missouri

City Clerk explained that she spoke with a representative of the Division 2267, the Office of Tattooing, Body Piercing and Branding of the State of Missouri. It was discovered that in order to enforce the requirement of obtaining a state license by those who practice these trades, a city ordinance would be necessary.

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 Thompson, that Council Bill No 2008'99 be adopted. Upon roll being called, the vote was as follows: Councilman Thompson, yea; Councilman Moss, yea; Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Moss, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7052 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

SOLICITORS AND CANVASSERS, PEDDLERS AND ITENERANT MERCHANTS

The City Clerk presented a bill, being Bill No. 2008'101 for an Ordinance entitled:

An Ordinance to Repeal Chapter 620: Solicitors and Canvassers, Peddlers and Itinerant Merchants of Title VI: Business and Occupation, of the Municipal Code of the City of Maryville, Missouri, and to adopt a New Chapter 620: Solicitors Canvassers, Peddlers and Itinerant Merchants, 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 stated that Councilman Thompson, Della Rhoads and another representative of the Nodaway County Health Department, Dave Barcus, Jeff Funston and she met to discuss the issue of regulating requirements of obtaining a permit to sell goods in the City of Maryville under the Solicitors and Canvassers, Peddlers and Itinerant Merchant Ordinance.

Councilman Thompson added that although those from the Health Department suggested that anyone who sells fresh produce or is considered as a non-profit organization be exempt from obtaining a permit, he suggested that any baked goods and fresh produce sold at the farmer's market, as well as the non-profit organizations be exempt from the permit. City Clerk stated that her goal was to obtain a clearer definition as to who was exempt.

After much discussion, motion was made by Councilwoman Cummings, seconded by Councilwoman Coutts, that this bill be reviewed by the City Attorney and brought back to the Council. Upon roll being called, the vote was as follows: Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Thompson, yea; Councilman Moss, yea; Councilman Moss, yea; Mayor Jackson, yea. Motion carried.

SUPPORT OF NORTHWEST MISSOURI REGIONAL COUNCIL OF GOVERNMENT

City Manager LeCerf stated that a request for support had been received by the Northwest Missouri Regional Council of Governments. It was agreed by the Council that the benefits received by supporting the Regional Council of Government was a positive action.

GARAGE SALE ORDINANCE

The City Clerk presented a bill, being Bill No. 2008'104 for an Ordinance entitled:

An Ordinance to Adopt Section 250.010: Definitions and Sections, 250.020: Garage Sales, of Title II Public Health Safety and Welfare, of the Maryville Municipal Code, 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.

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Motion was made by Councilwoman Coutts, seconded by Councilwoman Cummings, that Council Bill No 2008'104 be postponed until Attorney Thompson reviews and refines the ordinance. 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.

REPEAL OF SECTION 545.100, SUBSECTION 4

The City Clerk presented a bill, being Bill No. 2008'105 for an Ordinance entitled:

An Ordinance to Repeal Section 545.100: general Requirements and Regulation Governing all Driveway Approach Work, Subsection 4, of Title V: Buildings and Construction, Chapter 545: Streets, Alleys and Sidewalks, Article II: Street Openings-Driveway, of the Maryville Municipal Code

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 by and seconded by, 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 Manager LeCerf explained to the Council that Ordinance 545.100, Subsection 4, states that the City recommends using a temporary style of paving material for driveway approaches to unimproved streets. During improvements to various street, a situation now exists where the permanent driveway, that has been put in by the home owner, doesn't connect to the street, while hard surfacing the street, making a 5' to 10' of gravel between the hard surfaced street and driveway.

Motion was made by Councilwoman Cummings, seconded by Councilwoman Coutts, that Council Bill No 2008'105 be adopted. 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. 7053 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

APPROVAL TO REVISE 2007-2008 FISCAL BUDGET

The City Clerk presented a bill, being Bill No. 2008'106 for a Ordinance entitled:

An Ordinance Approving the Revised 2007-2008 Fiscal Budget of the City of Maryville, Missouri; Apportioning From the Revenue of the City Requisite Funds Therefore and Providing for the Method of Adjustment Thereof

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.

Dir., Finance Denise Town explained that three (3) funds exceeded the original 2007-08 budget as follows:

- Capital Improvements Fund, \$1,724,602

- Solid Waste, \$78,445
- Central Garage, \$9,300

Thereupon motion was made by Councilwoman Cummings, seconded by Councilman Moss, that Council Bill No 2008'106 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 7054 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

AMENDMENT NO 1 OF AIRPORT GRANT FROM MODOT

The City Clerk presented a bill, being Bill No. 2008'107 for an Ordinance entitled:

An Ordinance Approving Amendment No. 1, of the Contract with Missouri Department of Transportation Commission for Additional Funds to Construct Runway Extensions, Lighting, Apron Expansion, Associated Taxiways and Taxilanes, Entrance Road and Parking Lot, at the Northwest Missouri Regional Airport, 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.

City Manager LeCerf informed the Council that the amendment allocates the 2007 non-primary entitlement funds of \$150,000 to increase the project scope and timeframe, by extending the runway.

Motion was made by Councilman Moss, seconded by Councilwoman Coutts, that Council Bill No 2008'107 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. 7055 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

REPORTS

City Clerk

City Clerk Smail updated the Council on plans for the upcoming District, Missouri Municipal League meeting scheduled to occur October 15, 2008, at 6:00 p.m. City Clerk asked for a number of Council Members that plan to attend. She also reminded those planning to attend the Northwest Missouri Regional Council of Government banquet that it will be held September 25, beginning at 5:30 pm.

City Manager

City Manager LeCerf reminded the Council that Leadership Maryville attendants will be at the October 13, 2008 meeting to watch local government in action. Prior to the 7:00 pm meeting, Council and Administrative staff are asked to come at 6:00 pm to inform the individuals of the workings of the City of Maryville. Mr. LeCerf also stated that the personnel manual will be presented to the Council for approval. He stated that the inspections for the Alcohol licenses are moving forward, with minor repairs needed.

II. Council Members

Councilwoman Cummings stated that the 911 Committee has developed a subcommittee to acquire different perspectives on the issue, with Kay Wilson serving as leader. The first meeting is scheduled for September 29, 2008.

Mayor Jackson inquired about the ordinance enforcing political signs in regard to a time period that they are allowed. It was discussed that perhaps the ordinance shall be looked at for possible alterations.

ADJOURNMENT

Motion was made by council woman Cummings, seconded by Councilwoman Coutts 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 Thompson, yea; Mayor Jackson, yea. Motion carried.

Mayor, Chad Jackson

ATTESTED:

City Clerk, Sheila Smail