

September 24, 2007

The Council of the City of Maryville, Missouri, met in regular session on Monday, September 24, 2007, at City Hall 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, Pat Cummings, and Michael Thompson. Councilman Wilmes was not present. Also present were City Manager Matt LeCerf; Dir., Public Works Greg Decker; Dir., Finance Denise Town; Dir., Public Safety Keith Wood; City Attorney Doug Thomson and City Clerk Sheila Smail.

PUBLIC HEARING

Mayor Jackson opened a Public Hearing for three (3) issues to be discussed. The first was for the proposed annexation of the Mickelson property off of South Main Street. Second, the rezoning request for 418 West Seventh Street by Bruce and Nicole Judd and Ralph White, and finally a public hearing for the 2007-08 proposed fiscal year budget. Mayor Jackson invited any person wishing to address the Council to express their view of the issues, to come forward and state their name and address for the record. No person appeared to be heard. Mayor Jackson closed the public hearing.

PLEDGE TO THE FLAG

Mayor Jackson announced that Boy Scout Troop #75 and Cub Scout Troop #10 were present. He asked member Jacob Owens to led the pledge to the flag.

INVOCATION

Reverend Greg Tempke, the Church of Christ, 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.

Dale Mathes addressed the Council asking the city to donate \$100 for prizes and decorations for the planned Haunted Campground event to be held October 20, 2007.

Thereupon motion was made by Councilman Thompson, seconded by Councilwoman Coutts that the City donate \$100.00, in lieu of the previously agreed, two night camping pass to the Halloween Campground event. Upon roll being called, the vote was as follows: Councilman Thompson, yea; Councilwoman Coutts, yea; Councilwoman Cummings, nay; Mayor Jackson, yea. Motion carried.

OPEN ISSUES:

GARAGE SALE SIGN ORDINANCE

The City Clerk presented a bill, being Bill No. 2007'59 for an Ordinance entitled

An Ordinance to Adopt Section 555.085, Garage Sale Signs, and Section 555.120, (5) of Chapter 555: Signs and Advertising, of the Municipal Codes of the City of 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.

Thereupon motion was made by Councilwoman Cummings, seconded by Councilwoman Coutts that Council Bill No. 2007'59 be adopted. Upon roll being called, the vote was as follows: Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Thompson, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 6938 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

NEW BUSINESS:

LIBRARY BUDGET REVIEW

Diane Houston, Director, Maryville Public Library, reported to the Council some of the activities they had during the summer months. She added that a program for delivery to the homebound has been established.

Ms Houston reviewed the proposed budget for the fiscal year 2007-2008 with the Council. She stated that the increase in minimum wage effected the budget.

THE NEW NODAWAY COUNTY HUMANE SOCIETY BUSINESS UPDATE

The Humane Society was represented by Cindy Nelson, Manager; Doug Sutton, President of the Board; and Mary Matthews, Board Member. Ms Nelson distributed booklets featuring some of the pets at the facility and information about the Humane Society. She also reviewed some stats on items such as the number of animals dumped, captured, released to new owners and other similar information related to the animals housed at the Humane Society.

Doug Sutton gave a financial report. He suggested that the city consider adding to the

water bills an optional \$1 charge each month, to be submitted to the Humane Society to help meet rising expenses. He also suggested that the license ordinance be enforced.

NODAWAY COUNTY ECONOMIC DEVELOPMENT REPORT

Lee Langerock, Nodaway County Economic Development (NCED), told the Council of the many benefits that NCED provides for the City. She informed the Council of their strategic plans for retaining and expansion of businesses, business and industry development and marketing.

CITY COUNCIL COMPENSATION

City Manager LeCerf said it had been briefly discussed whether the City Council's compensation should be raised from \$100.00. City Clerk Smail had research area Cities with comparable population to determine their council compensation.

Councilwoman Cummings suggested that more research be done to determine the compensation of cities with a similar government structure. More information will be gathered.

FISCAL YEAR 2007-2008 BUDGET

The City Clerk presented a bill, being Bill No. 2007'60 for an ordinance entitled

An Ordinance Approving the 2007-2008 Fiscal Budget of the City of Maryville, Missouri,; Apportioning from the revenue of the City Requisite Funds Thereof and Providing for the Method of Adjustment, of the Municipal Codes of the City of 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.

Thereupon motion was made by Councilwoman Coutts, seconded by Councilman Thompson that Council Bill No. 2007'60 be adopted. Upon roll being called, the vote was as follows: Councilwoman Cummings, yea; Councilman Thompson, yea; Councilwoman Coutts, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 6939 and was duly passed, adopted and was

thereupon signed by the Mayor and attested by the City Clerk.

CHANGE ORDER NO 5 - STREETSCAPE PROJECT CONTRACT/LOCH SAND

The City Clerk presented a bill, being Bill No. 2007'63 for an ordinance entitled

An Ordinance Approving Change Order No. 5 with Loch Sand and Construction Company, of the Contract for Construction of the Downtown Streetscape Project, 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 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.

Thereupon motion was made by Councilwoman Cummings, seconded by Councilwoman Coutts that Council Bill No. 2007'63 be adopted. Upon roll being called, the vote was as follows: Councilman Thompson, yea; Councilwoman Coutts, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 6940 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

LOT SPLIT FOR WALMART STORES, INC., ON SOUTH MAIN STREET

Mayor Jackson stated that it had been requested that resolution No. 2007'64 be tabled for further review.

Thereupon motion was made by Councilman Thompson, seconded by Councilwoman Cummings that Council Bill No. 2007'64 be tabled for further review. Upon roll being called, the vote was as follows: Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Thompson, yea; Mayor Jackson, yea. Motion carried.

REZONING REQUEST FOR 418 WEST SEVENTH STREET

The City Clerk presented a bill, being Bill No. 2007'65 for An ordinance entitled

An Ordinance to Amend Section 405.040 (The Official Zoning Map), Ordinance No. 4984 (The Zoning Ordinance), upon the Application of Bruce and Nicole Judd and Ralph White by Rezoning Property Located at 418 West Seventh Street from R-2 (Single Family) to R-4 (Multi-family)

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.

Thereupon motion was made by Councilman Thompson, seconded by Councilwoman Coutts that Council Bill No. 2007'65 be adopted with the stipulation that the structure be demolished upon rezoning of property, as proposed in the application. Upon roll being called, the vote was as follows: Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Thompson, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 6941 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

CITY MANAGER

City Manager LeCerf stated that December 24, 2007, Christmas Eve is on a Monday this year. Since the employees are given four (4) hours of holiday for Christmas Eve, Mr. LeCerf recommended that the City allow the employees eight hours for Christmas Eve 2007. Council agreed.

Mr. LeCerf explained that he had received a letter from the County Clerk inviting the City to participate in preparing a time capsule. He asked that the Council consider items to represent the City of Maryville. The Airport bids that were set to be opened on Tuesday, September 25, 2007, have been extended until October 2, at 10:00 am.

Mr. LeCerf asked for some input from the council regarding "Pave Me For Pennies" project. He asked for clarification on participation of the resurfacing of roads in conjunction with Polk Township and Nodaway County. The City's intention is to participate in bringing roads up to City specifications that are at the gateway entrances of Maryville City limits. Discussion was had in regard to the need of a development plan between the City, Township and County.

COUNCIL MEMBERS

Mayor Jackson asked if a representative of the City would be attending the 2010 Census

meeting, to be held on September 28, 2007. The City Clerk and GIS representative are planning to attend.

The Mayor reminded the Council that he would not be at the October 8, 2007 council meeting. Mayor Pro-Tem Cummings will led the meeting.

EXECUTIVE SESSIONS

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

Discussion was had on two (2) issues regarding: 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 two (2) issues regarding: Hiring, Firing, Disciplining or Promoting of Particular Employee by a Public Governmental Body When Personal Information about the Employee Is Discussed or Recorded, as Authorized by Section 610.021(3) RSMo., Closed Meeting, Closed Record, Closed Vote.

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

ADJOURNMENT

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

Patricia Cummings, Mayor Pro-Tem

ATTESTED:

Sheila Smail, City Clerk