

October 22, 2007

The Council of the City of Maryville, Missouri, met in regular session on Monday, October 22, 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 and Council Members Carole Coutts, Pat Cummings, and Michael Thompson. Council Member Jerry Wilmes was absent. 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**

Boy Scouts Derrick and Dakota Luke, Troop #75, led the pledge to the flag.

**INVOCATION**

Pastor Vic Costen, Countryside Christian Church 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, 607 North Saunders Street, reported to the Council the outcome of the Halloween Campground Event, held October 20, 2007, at Mozingo Park. He stated that there were approximately 400 trick or treaters and the campgrounds were full of campers. Mr. Mathes stated that it is his hope that this event could be held again next year.

**LOT SPLIT FOR WALMART STORES, INC.**

The City Clerk presented a bill, being Bill No. 2007'64 for a Resolution entitled

A Resolution Authorizing the Lot Split of Property Owned By Walmart Stores, Inc., Located at 1605 South Main Street, of the City of Maryville, Nodaway County, Missouri

City Manager LeCerf stated that he is waiting for more information on this issue, suggesting the issue be tabled.

Thereupon motion was made by Councilwoman Cummings, seconded by Councilwoman Coutts, that Council Bill 2007'64 be tabled, awaiting further information. Upon roll being called, the vote was as follows: Councilwoman Cummings, yea; Councilwoman Coutts, yea; Councilman Thompson, yea; Mayor Jackson, yea. Motion carried.

### **FEE SCHEDULE FOR MOZINGO PARK**

The City Clerk presented a bill, being Bill No. 2007'67 for an Ordinance entitled An Ordinance to Repeal Section 212.225: Mozingo Fee Structure-Golf Fees and Park Fees, Title II: Public Health, Safety and Welfare, Chapter 212: Mozingo Park Regulations, of the Municipal Code of the City of Maryville and to Adopt a New Section 212.225: Mozingo Fees Structure-Golf Fee Structure-Golf Fees and Park Fees, Pertaining to the Same Subject

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, and seconded by Councilwoman Coutts, that Council Bill No. 2007'67 be adopted. Upon roll being called, the vote was as follows: Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Thompson, yea. Motion carried.

Said bill was then numbered Ordinance No. 6943, was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk

#### **FURNISHING IN COMMUNICATION CENTER AT PUBLIC SAFETY**

The City Clerk presented a bill, being Bill No. 2007'68, for an Ordinance entitled An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Missouri Vocational Enterprises, for the Purpose of a Furniture Upgrade in the Communication Center, at Maryville Public Safety, Maryville, Missouri

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 Councilwoman Coutts that Council Bill No. 2007'68 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. 6944, was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

#### **MICKELSON PROPERTY ANNEXATION**

The City Clerk presented a bill, being Bill No. 2007'69 for an Ordinance entitled

An Ordinance Annexing Certain Territory, Located along South Main Street, Owned by Steven C. Mickelson and Cindy K. Mickelson, Husband and Wife

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, and seconded by Councilman Thompson that Council Bill No. 2007'69 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. 6945, was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

#### **ADDENDUM NO. 1 TO CONTRACT WITH SNYDER AND ASSOCIATE**

The City Clerk presented a bill, being Bill No. 2007'70 for an Ordinance entitled An Ordinance Approving Addendum No. 1 with Snyder and Associates, for the Contract for Design of the Wastewater Facility, 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 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 Coutts, and seconded by Councilwoman Cummings that Council Bill No. 2007'70 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. 6946, was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk..

### **SOLID WASTE USER FEES**

The City Clerk presented a bill, being Bill No. 2007'71 for an Ordinance entitled An Ordinance to Repeal title II: Public Health, Safety and Welfare, Chapter 225: Solid Waste, Recyclables and Compost Materials, Section 225.270: User Fees, Subsection (A), Code of the Municipal Code of the City of Maryville, Missouri and to Adopt a New Section 225.270; User Fees (A), Pertaining to the Same Subject

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.

City Manager LeCerf suggested that a meeting be scheduled inviting trash haulers to attend for discussion on the proposed solid waste user fees.

Thereupon motion was made by Councilwoman Coutts, seconded by Councilman Thompson that Council Bill No. 2007'71 be tabled.. Upon roll being called the vote was as follows: Councilman Thompson, yea; Councilwoman Coutts, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

### **GOLF RATES FOR LARGE OUTINGS**

City Manager LeCerf informed the Council that he invited the Tobin Classic and the Bearcat Golf Tournaments planners to attend a meeting to discuss the rates that the city will be charging for the outings in the coming year. Mr. LeCerf stated that he plans to meet with those involved in the Tobin Classic on November 6, 2007, at 8:00 p.m. and encouraged council members to attend.

### **COUNCIL COMPENSATION**

City Clerk Smail explained that after researching council compensation for third class cities, similar in size with the City of Maryville, she found a large range of compensation rates.

Councilwoman Cummings said she saw an increase of an honorarium as the time and energy members put into their positions. She recommended that an ordinance be written to consider a compensation rate of \$1,200 per council member, effective as each term renews, after passage.

## **SPECIAL USE DISTRICT**

City Manager LeCerf explained that he would like to recommend that the City Council consider designation of a Special Use District. By establishing a Special Use District it will enable developers to take advantage of economic financing options. He added that these areas include the downtown area, industry, vacant area around the university. Mr. LeCerf stated that he hoped this would encourage developers and expand finance options.

## **BRANDING - LOGO/CITY SEAL**

City Manager LeCerf suggested the City consider a new logo/seal for the City that represents the city.

The council approved further investigation of the idea.

## **WATERLINE FOR MODOT**

The City Manager stated that Missouri Department of Transportation has made suggested changes to the contract for the waterline project. MODoT has agreed to remove and replace driveway for waterline installation. Mr. LeCerf will visit with MODOT officials to discuss the annexation of MODoT property once it becomes contiguous to the city limits. An ordinance will be developed and presented to the Council.

## **MISSION, VISION, STRATEGIC PLANNING**

City Manager LeCerf presented to the Council a copy of the Mission, Vision and Strategic Planning that was developed last year. He suggested that council and staff begin working on it again by meeting once a month.

Councilwoman Cummings suggested that the mission should include the need to work with the township and county.

It was suggested they take up where they left off after the new year and be scheduled before the second meeting of the month.

## **REPORTS**

### **I. City Manager**

City Manager LeCerf reported that a celebration for the Streetscape project is scheduled for November 7, 2007, beginning at 4:00 pm, on the east side of the Courthouse. Street closure will be necessary.

He reminded the council that discussion was had last meeting in regard to changing contractor license requirements. Those changes include elimination of the requirement of a \$5,000 surety bond, raising the minimum liability insurance from \$100,000 to \$300,000 and to raise contractor license fees. He asked the council to give it consideration

The City Manager announced that due to lack of traffic at the transfer station on Saturdays, during the winter months, the transfer station will be closed Saturdays beginning in November thru February. During the months of March and April, 2008, the transfer station will be closed on the second and fourth Saturdays of the months. May first it will again be open every Saturday morning.

The city is prepared to hire a contractor to demolish the property located at 320 South Vine Street once the courts have released the property.

Habitat for Humanity is planning to build their next home in Maryville. Habitat officials are considering requesting that the City wave landfill fees for demolition of the structure presently on the property.

### **II. Council**

Councilwoman Cummings asked Dir., Finance Denise Town if she had any information in regard to adding an optional \$1 contribution to the Humane Society, on the water bills.

Ms Town stated there is nothing standard on the software being used, but she has asked for an estimate for an addition that will accommodate the request. She has not heard back from software representative.

### **EXECUTIVE SESSION**

Motion was made by Councilwoman Cummings seconded by Councilman Thompson 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 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.

Thereupon, motion was made by Councilwoman Cummings seconded by Councilwoman Coutts 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.

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Chad Jackson, Mayor

**ATTEST:**

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Sheila Smail, City Clerk