

**Maryville City Council
Regular Meeting
November 24, 2008**

The Council of the City of Maryville, Missouri, met in regular session on Monday, November 24, 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, and Ronnie Moss. Councilwoman Patricia Cummings arrived at 7:12 p.m. Others present were City Manager Matt LeCerf; Dir., Finance Denise Town; Dir., Dir., Public Safety Keith Wood; 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.

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.

CONTRACT WITH LOCH SAND AND CONSTRUCTION, MOZINGO GOLF CART PATHS

The City Clerk presented a bill, being Bill No. 2008'121 for an Ordinance entitled:

An Ordinance authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract With Loch Sand and Construction Company for the Purpose of Construction of Golf Cart Paths at Mozingo Golf Course, Maryville, Missouri

City Manager LeCerf explained that six (6) bids were received for the Mozingo Golf Cart Path Project, with Loch Sand and Construction as low bidder. Mr. LeCerf stated that city staff recommends that a contract be awarded to Loch Sand and Construction. He stated that the estimated cost of the project will be \$706,200, but requested that the Council approve an amount of \$720,000.00 to give some room for unforeseen cost. Any costs above \$720,000.00, will be requested as a change order. The project was budgeted at \$750,000.00.

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 Councilman Thompson, seconded by Councilwoman Coutts, that Council Bill No 2008'121 be adopted, awarding the bid to Loch Sand and Construction, at the rate of \$720,000.00. Upon roll being called, the vote was as follows: Councilman Thompson, yea; Councilman Moss, yea; Councilwoman Coutts, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7068 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

CONTRACT FOR COMPUTERIZED VOICE STRESS ANALYZER, PUBLIC SAFETY

The City Clerk presented a bill, being Bill No. 2008'122 for an Ordinance entitled:

An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract With National Institute for Truth Verification, for the Purpose of Purchasing a Computerized Voice Stress Analyzer, for the Public Safety Department, Maryville, Missouri

Dir., Public Works Keith Wood explained the operations of the Computerized Voice Stress Analyzer, in how it reads the variations of ones voice. Mr. Wood stated that the price of the equipment, complete with training, is \$5,785.00.

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 Coutts seconded by Councilman Thompson, that Council Bill No 2008'122 be adopted. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilwoman Coutts, yea; Councilman Thompson, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7069 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

CONTRACT FOR COMPUTER SERVER AT PUBLIC SAFETY

The City Clerk presented a bill, being Bill No. 2008'123 for an Ordinance entitled:

An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract With MTE Office Center, for the Purpose of Purchasing and Installation of a Computer Server, Capable of Running the ITI Enterprises Software Program, for Public Safety Communications, Maryville, Missouri

Dir., Public Safety Keith Wood stated that one (1) bid was received, From MTE Office Center, for the purchase and installation of a computer server, capable of running the ITI Enterprise Software Program. Staff recommended that the Council approve the bid from MTE, at \$10,997.00. The bid was below the budgeted amount.

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 Thompson, that Council Bill No 2008'123 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. 7070 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

CONTRACT FOR ITI UPGRADE SOFTWARE FOR PUBLIC SAFETY COMMUNICATIONS

The City Clerk presented a bill, being Bill No. 2008'124 for an Ordinance entitled:

An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract With Information Technologies, Inc., for the Purpose of Upgrading ITI Enterprises Edition RMS Software Program, for Public Safety Communications, Maryville, Missouri

Dir., Public Works Keith Wood explained that notice was received from the vendor of the current software, stating that support of the current software used by Public Safety would no longer be available after the fall of 2009. Consequently, Public Safety requested funds be budgeted for an upgrade to the current software. The cost to purchase software is \$19,743.00. He added that the cost of the server and software upgrade, inclusive of all associated costs would be \$30,740.00, coming in under the budgeted amount, of \$34,000.00.

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 Councilman Moss, that Council Bill No 2008'124 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. 7056 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

DISCUSSION: BULK FUEL PURCHASING

City Manager Matt LeCerf approached the Council requesting feedback on the idea of contracting a diesel and regular gasoline. He shared a depicted a graph of the amount of diesel, over the past year and regular gasoline, over the last two years, used by the City. By contracting fuel while the prices are lower, the city would save money in the future, should the prices begin to climb again. He added that the city would be taking somewhat of a risk, if fuel prices continue to decline.

Council agreed that it would be worth researching. Thereupon, motion was made by Councilwoman Coutts, seconded by Councilman Thompson that a study be done to determine the price of purchasing diesel fuel, regular gasoline and aviation fuel at a bulk rate of 15,000 gallon each. City Manager LeCerf will report back to the Council his findings.

REPORTS

City Manager

City Manager LeCerf asked if the Council had responded to the invitation to the Employee Banquet to be held December 5, at 6:00 p.m. Council members had responded. Mr. LeCerf inquired about the new water bills that were issued in the past month. He asked the Council for their thoughts about including on the next month water bill, under "Special Messages", a notice of election of one (1) Council member on the April 2009 ballot.

Councilman Thompson stated that he thought they should post it on the water bills and the rest of the Council agreed.

Mr. LeCerf asked the Council if they had received a copy of the contract pertaining to trails in East Crestview Drive area. He said that if any Council members were interested in meeting him at the proposed site, he would explain the intentions of the proposed trail.

Councilwoman Cummings expressed her concern for bicyclists on streets.

Mr. LeCerf reminded the Council that the City has received a non-infrastructure grant for the Safe Routes to School project that can be used for educational purposes.

City Manager stated that the City had received an invoice from Sullivan's Publications for the work done thus far in re-codification of the ordinance book. He asked City Clerk Smail to explain the process.

City Clerk Smail stated that the invoice received was for the updating of the ordinances to the present. At this point the ordinance book will be forwarded to the attorney for compliance with the Missouri Revised State Statutes, contradiction within the codes, and any verbage that may need changed. Once this process has been completed, Sullivan Publications staff will meet with City staff to review the suggested changes. Any additions, deletions, or changes that were made by the Council in the meantime

will be added before final publication. At that point, an ordinance will be presented to the Council, as well as an overview of the changes for adoption of the entire code book. The Council agreed with payment of the invoice received.

Council

Councilman Moss suggested the Council consider regulation of using cell phones while driving. He was concerned with the number of near accidents and asked them to observe the driving habits in this situation and consider the need.

Councilman Thompson expressed his concerns of the "Bar Specials" that seem to be enhancing binge drinking among the youth. He suggested that the Council may want to take steps to defer the problem. Inviting the bar owner to visit with the Council, as well as forming a committee that includes two (2) Council members, to study the issue of excessive drinking was suggested.

Mayor Jackson reported that the City had received notification from Suddenlink of rate increases. He asked if the City was intending to proceed with the change of stoplights at South Main Street and South Avenue.

City Manager said that they were, but are checking references from the company.

Mayor Jackson asked about a timeframe for the completion of the Airport project. Bruce Twaddle has asked to make a presentation to the Council.

Mr. LeCerf said it should be completed in about three and one half (3 ½) weeks. He asked if the presentation could be scheduled prior to a regular council meeting. It was agreed that it could.

Mayor asked if a council meeting will be held on December 22, 2008, as scheduled, since it is the week of Christmas. It was decided that it would be.

Mayor Jackson announced that St. Francis Hospital and Northwest Missouri State University were both recipients of the Missouri Quality Award. They were selected as two (2) of five (5) recipients. He said that these recognitions, as well as others, are great selling points for the community. Three (3) banners are being made for display, in recognition of the Missouri Quality Awards received.

EXECUTIVE SESSION

Motion was made by Councilman Moss, seconded by Councilwoman Coutts that the Council go into Executive Session. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilman Thompson, yea; Councilwoman Coutts, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

Discussion was had on Leasing, Purchase or Sale of Real Estate by a Public Governmental Body Where Public Knowledge of the Transaction Might Adversely Affect the Legal Consideration Therefore, as Authorized by Section 610.021(2) RSMo., Closed Meeting, Closed Record, Closed Vote.

Thereupon, motion was made by Councilman Moss, seconded by Councilman Thompson to come

out of executive session. 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.

ADJOURNMENT

Motion was made by Councilwoman Cummings, seconded by Councilman Moss that the meeting be adjourned. Upon the 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. Meeting was adjourned.

Mayor, Chad Jackson

ATTESTED:

City Clerk, Sheila Smail