

November 26, 2007

The Council of the City of Maryville, Missouri, met in regular session on Monday, November 26, 2007, at City Hall in said City at 6:15 p.m.

### **PUBLIC HEARING**

Mayor Pro-Tem Cummings opened a Public Hearing for an issue relating to solid waste fees. Mayor Pro-Tem Cummings asked City Manager LeCerf to explain the proposed changes to the fee structure, then invited any person wishing to address the Council to express their view of the issue being proposed, to come forward and state their name and address for the record.

Randy and Sharon Mozingo, Mozingo Sanitation, 122 South Munn Street explained that they are bringing all of their trash to the Maryville Transfer Station and that there is nothing else they could do to increase their tonnage, short of acquiring more customers.

John Allen, General Manager of Williams Services, Hwy 71 North, explained that they serve customers around the Savannah/St. Joseph area and it is less expensive to dispose of the trash in St. Joseph, while in the area.

Dennis Porter, Porter Trash Service, 909 West Seventh Street, stated that if the second proposal was to be approved that he would try to come back to Maryville.

City Manager LeCerf stated that if the Council approves the proposed changes, the City will keep a close watch on the numbers to verify the benefit of the changes.

### **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, Michael Thompson, and Jerry Wilmes. Others 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.

### **PLEDGE TO THE FLAG**

Mayor Jackson led the pledge to the flag.

### **INVOCATION**

Pastor Jason Yarnell, Baptist Student Union Minister, 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 persons appeared to be heard.

## **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), of the Municipal Code of the City of Maryville, 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 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 Councilman Thompson, that Council Bill No. 2007'71 be adopted. Upon roll being called, the vote was as follows: Councilman Wilmes, yea; Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Thompson, yea, Mayor Thompson, yea. Motion carried.

Said bill was then numbered Ordinance No. 6954, was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk

## **REPEAL SECTION 500.060 - SURETY BOND REQUIREMENT**

The City Clerk presented a bill, being Bill No. 2007'77 for an Ordinance entitled

**An Ordinance to Repeal Title V: Building and Construction, Chapter 500: Administrative Code, Section 500.060: Bond Requirement, of the Municipal Code of the City of 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.

Motion had been made by Councilwoman Cummings, and seconded by Councilwoman Coutts, that Council Bill No. 2007'77 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. 6955, was duly passed,  
adopted and was thereupon signed by the Mayor and attested by the City  
Clerk

#### **REPEAL/ADOPTION OF NEW SECTION 500.040, 500.050 AND 500.070**

The City Clerk presented a bill, being Bill No. 2007'78, for an Ordinance  
entitled

**An Ordinance to Repeal Section 500.040: Licensing Procedure,  
Section 500.050: License Fee, and Section 500.070: Hold  
Harmless Agreement of Title V: Building and Construction,  
Chapter 500: Administrative Code, of the Municipal Code of the  
City of Maryville, Missouri and to Adopt a New Section 500.040:  
Licensing Procedure, Section 500.050: License Fee and Section  
500.070: License Requirement, Pertaining to the Same Subject**

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.

Councilwoman Cummings stated that the Section 500.050: License Fee (1)  
should exclude the Contractor exam fee of \$50 and (3) should also exclude "contractor."

Motion had been made by Councilwoman Cummings, and seconded by  
Councilwoman Coutts that Council Bill No. 2007'78 be adopted as amended. Upon roll  
being called, the vote was as follows: Councilman Thompson, yea; Councilman Wilmes,  
yea; Councilwoman Coutts, yea; Councilwoman Cummings, yea; Mayor Jackson, yea.  
Motion carried.

Said bill was then numbered Ordinance No. 6956, was duly passed, adopted and  
was thereupon signed by the Mayor and attested by the City Clerk.

#### **CONTRACT WITH NODAWAY COUNTY ECONOMIC DEVELOPMENT**

The City Clerk presented a bill, being Bill No. 2007'85 for an Ordinance  
entitled

**An Ordinance Authorizing the Mayor of the City of Maryville,  
Missouri, to Execute a Contract with Nodaway County**

## **Economic Development Projects and Activities**

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. 2007'85 be adopted. Upon roll being called, the vote was as follows: Councilman Wilmes, yea; Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Thompson, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 6957 was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

### **BID AWARD FOR RETAINING WALL, MOZINGO LAKE GOLF COURSE, HOLE #11**

The City Clerk presented a bill, being Bill No. 2007'86 for an Ordinance entitled

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Andrew Spire Construction, LLC, for the Construction of a Retaining Wall, Mozingo Lake Golf Course, Hole #11, Maryville, Missouri**

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 Councilman Wilmes that Council Bill No. 2007'86 be adopted. Upon roll being called, the vote was as follows: Councilwoman Coutts, yea; Councilwoman Cummings, yea;

Councilman Thompson, yea; Councilman Wilmes, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 6958 was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

#### **ENGINEERING SERVICES FOR STP-2000(205), MOZINGO TRAIL PROJECT, PHASE I**

The City Clerk presented a bill, being Bill No. 2007'87 for an Ordinance entitled

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri to Execute a Contract with Snyder and Associates, Inc., for the purpose of Engineering Services for STP-2000(205), Mozingo Trail Project, Phase I, Maryville, Missouri**

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.

Thereupon motion was made by Councilwoman Coutts, and seconded by Councilwoman Cummings that Council Bill No. 2007'87 be adopted.

After review of the estimated costs, Mayor Jackson suggested that the issue be tabled until further information can be obtained regarding the overhead costs, which was set at 151%.

#### **ENGINEERING SERVICES FOR SAFE ROUTES TO SCHOOL PROJECT**

The City Clerk presented a bill, being Bill No. 2007'88 for an Ordinance entitled

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Snyder and Associates, Inc., for the Purpose of Engineering Services for Safe Routes to School Development Project, Project No. SRTS-INF-H101 (002), Maryville, Missouri**

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. 2007'88 be approved.

After review of the estimated costs, Mayor Jackson suggested that the issue be tabled until further information can be obtained regarding the overhead costs, which was set at 151%.

## **REPORTS**

### **City Manager**

City Manager LeCerf reported that he is in the process of determining the proper thickness of the concrete needed for the Airport runway to withstand larger aircrafts in the future, if desired. A special meeting will be called later in the week to consider the award of bid for the Airport project. He met with Don Wichern and Marty Lyles regarding First Street, east and west sides. He received a request from the Regional Water Symposium asking for a contribution for a feasibility study from water distribution centers. The council agreed to donate \$500.00.

### **Council**

Councilwoman Coutts reported that a task force meeting will be held November 27, 2007 at Regional Council of Government and a meeting of the Transportation Advisory Council will meet the following week.

Mayor Jackson reported that Rod Jetton, Speaker of the House and Don Wichern, MODoT, will be visiting next week to talk about transportation issues. Mayor asked the Council if they wanted to postpone discussion of the Mission/Vision Statement until the first of the year or place it on the agenda for December. He suggested having an opportunity to review the issues prior to meeting. It was determined that there would probably be one meeting in December 2007, but will see how full the agenda is for December 10, 2007.

Mayor Jackson stated that he had heard from Deb Powers about getting high school students involved in the process of local government by playing an active role at council meetings. Those participants will not be eligible to vote or be included in executive sessions. Deb Powers will be contacted by the City Clerk, to attend a meeting to provide further information.

## **EXECUTIVE SESSION**

Motion was made by Councilman Wilmes seconded by Councilwoman Coutts that the Council go into Executive Session. Upon roll being called, the vote was as

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

Discussion was had 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: Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Thompson, yea; Councilman Wilmes, 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 Cummings, yea; Councilman Thompson, yea; Councilman Wilmes, yea; Councilwoman Coutts, yea; Mayor Jackson, yea. Motion carried.

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Chad Jackson, Mayor

ATTEST:

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Sheila Smail, City Clerk