

**Maryville City Council  
Regular Meeting  
December 08, 2008**

The Council of the City of Maryville, Missouri, met in regular session on Monday, December 08, 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, Patricia Cummings, Michael Thompson and Ronnie Moss. Others present were City Manager Matt LeCerf; Dir., Finance Denise Town; Dir., Public Works Greg Decker; Dir., Public Safety Keith Wood, City Attorney Doug Thomson and City Clerk Sheila Smail.

**PLEDGE TO THE FLAG**

Christopher and Lucas Frederick, Cub Scouts of Troop 75, led the pledge to the flag.

**INVOCATION**

An invocation was given by Councilwoman Patricia Cummings.

**APPROVAL OF MINUTES**

Mayor Jackson asked if there were any amendments to the minutes presented for City Council meetings held November 10 and 24, 2008.

Motion was made by Councilman Thompson, seconded by Councilwoman Cummings, that the minutes be approved as presented. Upon the 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.

**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.

Bob Cooper, 25168 State Hwy EE, stated that on behalf of the Trails Committee he would like to thank the City Council for their support in trail development in the City of Maryville. He noted several others who have played an important roll in trail development. Several grants have been received and others are planned to be applied for in the future. To date, \$250,000 in grants have been received, with no fund match required.

Councilman Thompson, in return, thanked the Trails committee for their hard work. He added that he was informed that there are citizens that have concerns about the proposed trails.

David DuVall, 1319 East Crestview Drive, presented to the City Council with a petition from residents in the Crestview area, asking the City Council to reevaluate plans for the proposed walking/biking trail in the Crestview neighborhood. He stated that the members of the Crestview

community have concerns about safety.

Merv Beattis, 1247 East Crestview Drive, said he was concerned with the poor visibility and confusion the proposed trail might cause on East Crestview Drive, especially at the curve.

Margueritte Carmichael, 1119 Crestview Drive, was concerned about the traffic congestion at the intersection of Crestview Drive, East Crestview Drive and West Crestview Drive.

Nancy Poole, 1239 East Crestview Drive, said that presently she feels safe but wasn't sure if that would hold true with people walking/biking in the area.

Marilyn Bettis, 1247 East Crestview Drive, was not comfortable with middle school aged students walking in the area. She added that crossing at West South Avenue could be hazardous.

H. L. Poynter, 1205 West Crestview Drive, asked the Council to revisit the issue and weigh the concerns presented. He said that seventy-five percent (75%) of the residents in the Crestview Drive area were opposed to the trail being placed in their neighborhood. He asked that they avoid trails in the streets. Mr. Poynter said he thought it was an expensive solution looking for problems.

Dave Robbins, 1024 South Walnut Street, suggested an alternate route following the Peach Creek area, which he thought was public property.

Mayor Jackson stated that it was his understanding that there is no public property along Peach Creek.

Jeff Anderson, a non-resident of Maryville, remarked that it is common in other areas to incorporate biking paths into a street.

Richard Landes, 1224 East Crestview Drive, thanked the city for their achievements in promoting trails. He stated that he thought the Crestview plan was a great idea and added that it is the beginning of a master plan.

Dave DeVall said that the Crestview residents are not against the trails, but do not feel Crestview is the appropriate location for the project. It was of his opinion that bicyclists and walkers were in two separate categories, as far as their impact on the trails.

Mayor Jackson explained that receiving Safe Routes to School grants initiated the idea of having trails leading to the schools. It was intended to avoid highway traffic and yet lead to parks and other areas of the city.

Don Nothstine recalled the numerous public meetings held to obtain feedback from citizens. He said that according to surveys done, obtaining trails was high on the list of suggestions.

John Scarbrough, 1335 East Crestview Drive, stated that although he moved to Crestview last spring, he signed the petition without being fully informed before hand. He added that he was not against trails.

Councilman Thompson stated that he had begun making strides in learning more about both sides of the issue.

Mayor Jackson said that more discussion is needed, and that it would be continued at a later time.

The Trails committee will be meeting next month.

Mayor Jackson asked if there was anything else, anyone wanted to approach the Council about.

Josie Frederick, 1115 East Bell Street, Arkoe, Missouri, stated that she and her family moved to the area recently and asked why non-residents of the City have to pay a twenty-five dollar (\$25) fee to use the Maryville Public Library. She said she has never experienced that before.

City Manager Matt LeCerf explained that the public library is funded by property tax, fines and user fees. Citizens that do not live within the city limits are not charged a library taxes on their property taxes. Consequently, they are charged a fee of twenty-five dollars (\$25).

Ms Frederick asked what the procedure would be to change it to a county library, to eliminate the fees.

Councilman Thompson suggested that she attend a Library Board meeting and discuss it with them. He explained that the library board is a separate entity from the City of Maryville.

### **TREASURER'S REPORT**

Motion was made by Councilwoman Cummings, seconded by Councilwoman Coutts that the Treasurer's Report be approved as presented. 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.

### **PAYMENT VENDOR SCHEDULE**

Motion was made by Councilwoman Coutts seconded by Councilwoman Cummings that the payment vendor schedule be approved as presented. 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.

### **EMPLOYEE HEALTH INSURANCE RENEWAL WITH BLUE CROSS & BLUE SHIELD**

The City Clerk presented a bill, being Bill No. 2008'125 for an Ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Blue Cross & Blue Shield of Kansas City, to Provide Group Health Insurance for City Employees**

City Manager LeCerf explained that the current contract for City employee health insurance is due to expire at the end of the year. Blue Cross & Blue Shield presented the best guaranteed proposal.

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 Cummings, that Council Bill No 2008'125 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. 7072 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

#### **EMPLOYEE DENTAL AND TERM LIFE INSURANCE RENEWAL, PRINCIPAL FINANCIAL**

The City Clerk presented a bill, being Bill No. 2008'126 for an Ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri to Execute a Contract with Principal Financial Group, to Provide Group Dental and Term Life Insurance for City Employees**

City Manager LeCerf explained that the contract for City employee dental and life insurance is also due to expire at the end of the year. He suggested the City continue with Principal Financial Group.

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 Councilwoman Coutts, that Council Bill No 2008'126 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. 7073 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

#### **NODAWAY COUNTY ECONOMIC DEVELOPMENT REPORT**

Councilman Moss, representing the Nodaway County Economic Development (NCED), reported accomplishments and future plans of the NCED. The City of Maryville is a financial supporter of NCED.

#### **REPORTS**

##### **I. City Manager**

City Manager LeCerf reminded Council members of the Employee Banquet to be held, December 12, at 6:00 p.m.

Mr. LeCerf asked for the Council's if they wanted to give approval of the selection of members to the Mazingo 10-year Plan committee. The Council agreed that they would like to be informed of the selection.

City Manager LeCerf requested participation of two council members in evaluating qualification for the two 750,000 gallon water towers proposals. Councilman Thompson and Councilwoman Coutts agreed

to participate.

## **II. Council Members**

Councilman Thompson stated that he would not be attending the Employee Banquet.

Councilwoman Cummings stated that the review of ordinances pertaining to the Humane Society is progressing and that the committee is looking to approach others for funding, other than the city.

Mayor Jackson reiterated that the Crestview Trail issue should be revisited. It was discussed that the Safe Routes to School grant is in the amount of \$250,000, with a cost to the city of approximately \$4,000. Mayor Jackson added that the city has already been awarded the grant and that Loch Sand and Construction has been awarded the construction bid, upon approval from the Missouri Department of Transportation.

Councilwoman Cummings suggested meeting with those in favor and opposing the trails to discuss the issue.

City Manager LeCerf reminded the council that three (3) public hearings were held, with concerns expressed at the time being solved or compromised.

Mayor Jackson stated that the Trails committee will discuss the concerns noted, with the trails on the streets of Crestview being the main opposition.

## **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: Councilman Moss, yea; Councilwoman Coutts, yea; Councilwoman Cummings, yea; Councilman Thompson, 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 Thompson, seconded by Councilman Moss 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 Councilman Moss, 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; Councilman Thompson, yea; Mayor Jackson, yea. Motion carried.

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Chad Jackson, Mayor

ATTESTED:

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Sheila Smail, City Clerk