

**Maryville City Council Meeting**  
**Regular Session**  
**January 10, 2011**  
**7:00 p.m.**

The Council of the City of Maryville, Missouri, met in Regular Session on Monday, January 10, 2011, 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 Jackson, Council Members Shawn Wake, Ronnie Moss, Glenn Jonagan, and Patricia Cummings. Others present were City Manager Matt LeCerf, City Attorney Doug Thomson, Dir., Public Safety Keith Wood, Dir., Finance Denise Town, Dir., Public Works C.E. Goodall, Human Resource Manager Amy Strough and City Clerk Sheila Smail.

**PLEDGE TO THE FLAG**

The pledge to the flag was lead by Mayor Jackson.

**INVOCATION**

The invocation was given by Councilman Moss.

**APPROVAL OF AGENDA**

Mayor Jackson asked if there were any changes needed to the agenda, they be noted at this time. A motion was made by Councilwoman Cummings, seconded by Councilman Wake, that the agenda be approved as presented. Upon roll being called, the vote was as follows: Councilman Wake, yea; Councilman Moss, yea; Councilman Jonagan, yea; Councilman Cummings, yea; Mayor Jackson, yea. Motion carried.

**APPROVAL OF MINUTES**

Mayor Jackson asked if there were any amendments to the minutes presented for City Council meetings held December 13 and 27, 2011 and the Comprehensive Plan presentations given on December 13, 2011.

Motion was made by Councilwoman Cummings, seconded by Councilman Wake, that the minutes be approved, as presented. Upon roll being called, the vote was as follows, Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Cummings, yea; Councilman Wake, 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 a part of 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.

**TREASURER'S REPORT**

Dir., Finance Denise Town reported that the city received funds from Nodaway County for property tax distribution for the General, Park and Recreation and Debt Retirement funds (\$265,846.04); reimbursement of CDBG Project of 16<sup>th</sup> Street for half of the project (\$53,489.49); final payment for Eugene Field School trail project from Missouri Department of Transportation (\$55,697.09).

Non-reoccurring bills to be paid were to McGladrey & Pullen for audit progress billing (\$20,000.00); K & G Striping, for road striping (\$18,859.90); Victor L. Phillips, for the mini excavator for the Water/Wastewater Maintenance Department (\$50,401.00); to Loch Sand and Construction, for the 16<sup>th</sup> Street Project, pay request #2, being half of the project amount (\$53,489.49); and UMB Bank paid bond proceeds to Olsson & Associates for engineering for water tower project (\$8,457.54).

Motion was made by Councilwoman Cummings, seconded by Councilman Wake, that the Treasurer's Report be approved as presented. Upon the roll being called, the vote was as follows: Councilman Jonagan, yea; Councilwoman Cummings, yea; Councilman Wake, yea; Councilman Moss, yea; Mayor Jackson, yea. Motion carried.

**PAYMENT VENDOR SCHEDULE**

Motion was made by Councilman Wake seconded by Councilwoman Cummings, that the payment vendor schedule be approved as presented. Upon the roll being called, the vote was as follows: Councilwoman Cummings, yea; Councilman Wake, yea; Councilman Moss, yea; Councilman Jonagan, yea; Mayor Jackson, yea. Motion carried.

**APPROVE ANNEXATION OF PROPERTY ALONG EAST SOUTH AVENUE, ERIC ZIMMERMAN**

The City Clerk presented a bill, being Bill No. 2010’01 for an Ordinance entitled:

**An Ordinance Annexing Certain Territory, Located Along East South Avenue, Owned by Eric Zimmerman**

After an acceptance of the petition and holding of a public hearing regarding the requested annexation, there were no written objections to the annexation, received by the City.

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 Wake, to approve Council Bill No 2011’01, as presented. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Cummings, yea; Councilman Wake, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7291 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, and the property was given the city address of 1218 East South Avenue.

**AMENDMENT TO MARYVILLE PROCUREMENT ORDINANCE, SECTION 150.090 (I)**

The City Clerk presented a bill, being Bill No. 2011’02 for an ordinance entitled:

**An Ordinance to Amend Ordinance No. 7006, the City of Maryville Procurement Ordinance, by Deleting Section 150.090 (I), Formal Vendor Selection Methods, in its Entirety and Adopting a New Section 150.090 (I), Pertaining to the Same Subject.**

As requested by the City Council, an ordinance was presented to amend the Maryville Procurement Ordinance to allow the City to choose a vendor located inside the city limits over a lower bid received by a vendor located outside the city limits, but still within five percent (5%) of the lower bid for purchases up to five thousand dollars (\$5,000).

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 Moss, seconded by Councilwoman Cummings, to amend the Maryville Procurement Ordinance as presented. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Cummings, yea; Councilman Wake, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7292 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**APPROVAL OF PARTICIPATION IN 2011 SHOW ME GREEN SALES TAX HOLIDAY**

The City Clerk presented a bill, being Bill No. 2011’03 for an ordinance entitled:

**An Ordinance Allowing the “2011 Show Me Green Sales Tax Holiday” to Apply to the Local Sales Taxes of the City of Maryville, Missouri, Between April 19 and April 26, 2011**

An ordinance was presented to the City Council to consider the City’s participation in the “2011 Show Me Green Sales Tax Holiday” that will allow consumers to purchase qualifying “Energy Star” appliances with no local sales tax charged to them, during this period.

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 Wake, to approve Council Bill No. 2011'03. Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilwoman Cummings, yea; Councilman Wake, yea; Councilman Moss, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7293 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. As required by State, a copy of the adopted ordinance will be sent to the Department of Revenue.

#### **CONTRACT WITH NODAWAY CONTRACTING CO., FOR DEMOLITION OF 720 EAST 7TH**

The City Clerk presented a bill, being Bill No. 2011'04 for an ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Nodaway Contracting Company, Inc., for the Purpose of Demolition of the Structure and Trees at 720 East 7<sup>th</sup> Street, Maryville, Missouri**

Bids were opened January 4, 2011, for the demolition of the structure at 720 East 7<sup>th</sup> Street, property recently purchased by the City of Maryville. The demolition project will also include the removal of trees on the property. Nodaway Contracting was the low bidder, with a proposal of \$ 7,975.00. It was recommended by Staff that Nodaway Contracting Company be contracted for the demolition project.

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 Moss, seconded by Councilman Wake, to approve Council Bill No. 2011'04. Upon roll being called, the vote was as follows: Councilwoman Cummings, yea; Councilman Wake, yea; Councilman Moss, yea; Councilman Jonagan, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7294 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, and identified the agreement as Contract No. 2011-01.

#### **MEMORANDUM OF UNDERSTANDING WITH NEW NODAWAY HUMANE SOCIETY**

The City Clerk presented a bill, being Bill No. 2011'05 for an ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Memorandum of Understanding with the New Nodaway Humane Society, for the Purpose of Providing Animal Control and Shelter Services for the City of Maryville, Missouri**

An Agreement between the City of Maryville and the New Nodaway Humane Society was presented for the purpose of providing animal control services within the City.

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 Wake, to approve Council Bill No. 2011'05. Upon roll being called, the vote was as follows: Councilman Wake, yea; Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7295 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, and identified the agreement as Contract No. 2011-02.

#### **REPORT**

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

- Nothing

**II. Council**

- Councilwoman Cummings inquired about the increase of solid waste tonnage noted on the monthly report. An explanation for the increased amount was uncertain.
- Mayor Jackson reminded the Council Members and Staff of the retreat scheduled for January 18, at 5:30 p.m., at Wells Hall, on Northwest Missouri State University Campus.

**EXECUTIVE SESSION**

Motion was made by Councilwoman Cummings, seconded by Councilman Wake that the Council, go into executive session. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Cummings, yea; Councilman Wake; yea; Mayor Jackson, yea. Motion carried.

The Maryville City Council met in closed session to discuss 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.

Motion was made by Councilman Moss, seconded by Councilman Jonagan that the Council comes out of executive session. Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilwoman Cummings, yea; Councilman Wake, yea; Councilman Moss, yea; Mayor Jackson, yea. Motion carried.

**ADJOURNMENT**

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

\_\_\_\_\_  
Chad Jackson, Mayor

ATTEST:

\_\_\_\_\_  
Sheila Smail, City Clerk