

**Maryville City Council**  
**Regular Session**  
**February 28, 2011**  
**7:00 p.m.**

The Council of the City of Maryville, Missouri, met in regular session on Monday, February 28, 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 Chad Jackson, Council Members Glenn Jonagan, Patricia Cummings, and Shawn Wake were present. Council Member Ronnie Moss was not present. Others present were City Manager Matt LeCerf; City Attorney Doug Thomson, Dir., Finance Denise Town, Dir., Public Works Clifford Goodall, Dir., Public Safety Keith Wood and City Clerk Sheila Smail.

**PLEDGE TO THE FLAG**

Mayor Chad Jackson led the pledge to the flag.

**INVOCATION**

Councilwoman Cummings gave the invocation.

**APPROVAL OF THE AGENDA**

Mayor Jackson requested any changes needed to the agenda, be noted at this time. 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 Jonagan, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

**REQUEST TO HOLD 5-K RUN, BY NORTHEAST NODAWAY SCHOOL DISTRICT**

A request was received from the Northeast Nodaway School District to host a 5-K run on the streets of Maryville, on Saturday, April 9, 2011, beginning at 8:30 a.m. and concluding around 10:00 a.m., at the Maryville Community Center. Applicant provided insurance and the signed hold harmless agreement and a map was provided to depict the route intended for the race.

Motion was made by Councilwoman Cummings, seconded by Councilman Wake to approve the 5-K run request as presented. Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilwoman Cummings, yea; Councilman Wake, yea; Mayor Jackson, yea. Motion carried.

**REQUEST TO HOLD 5-K RUN, BY EUGENE FIELD SCHOOL**

A request was made by the Maryville Eugene Field School, to hold a 5-K run, on Saturday, May 14, 2011, beginning at 8:30 a.m. and concluding at 10:00 a.m., at Eugene Field School. Applicant provided a certificate of insurance and a signed hold harmless agreement. A map was provided to depict the route intended for the race. The route was altered slightly by the host of the event, from the initial request.

Motion was made by Councilman Wake, seconded by Councilwoman Cummings to approve the 5-K run

request with the route change noted. Upon roll being called, the vote was as follows: Councilman Wake, yea; Councilman Jonagan, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

### **REQUEST TO HOLD ANNUAL ST. PATRICK'S DAY PARADE, THE PALMS**

An application was received by Paul Thompson, The Palm's, to hold the Annual St. Patrick's Day Parade, in the 400 Block of North Buchanan Street, on March 17, 2011, at 5:30 p.m. Applicant provided the required insurance and the signed hold harmless agreement.

Motion was made by Councilwoman Cummings, seconded by Councilman Wake, to approve the requested St. Patrick's Day Parade. Upon roll being called, the vote was as follows: Councilwoman Cummings, yea; Councilman Wake, yea; Councilman Jonagan, 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. No persons appeared to be heard.

### **LOT SPLIT AT 1007 N. DEWEY STREET, DEAN AND DEBBIE WEISS, BILL AND DENAE MURRELL**

The City Clerk presented a bill, being Bill No. 2011'12 for a Resolution entitled:

**An Ordinance Authorizing a Lot Split of property owned by Dean and Debbie Weiss, and Bill and Denae Murrell, Located at 1007 North Dewey Street, of the City of Maryville, Nodaway County, Missouri**

Motion was made by Councilman Wake, seconded by Councilwoman Cummings to remove this item from the table for further discussion.

At the February 9, 2011, City Council meeting, the lot split request for property located at 1007 North Dewey Street, was presented to the Council for approval. During the meeting, Council Members discussed the lack of street frontage and the accessibility being a narrow driveway that leads to the property. Concern was expressed regarding the ability to get a fire truck to the property because of the driveway width.

The Public Works Department reported that the lot split request does not meet minimum code requirements of Section 410.180 and 405.240 (4L), of the Maryville Municipal Codes. Section 410.180, states that lots shall abut by their full frontage on a publicly dedicated street or a private street that has received the legal status as such and Section 405.240 (4L), states that minimum street frontage of sixty-six feet (66') except of curbed streets and cul-de-sacs, in which case shall meet the minimum street frontage of forty feet (40').

The Fire Department also reported that the fire code requires buildings constructed, shall provide fire apparatus access extending within 150 feet of all exterior walls of the structure's first story. The minimum width of an access road for fire apparatus shall be a minimum of twenty feet (20') and designed to support the imposed load of seventy-five thousand (75,000) pounds and surfaced to provide all weather driving capabilities.

The driveway of this property is eleven feet (11') wide and three hundred and ninety-five feet (395') long,

exceeding both measurement requirements. However, it was suggested that if the driveway was widened to a minimum of thirteen feet (13') and concreted with a depth of five inches (5") and reinforced with rebar, it could be considered acceptable.

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 Jonagan, seconded by Councilman Wake to amend the motion to require the driveway at 1007 North Dewey Street, to be expanded to a minimum of thirteen feet (13') wide and concrete surface of no less than five inches (5") thick as a condition of the lot split approval. Upon roll being called the vote was as follows: Councilman Jonagan, yea; Councilwoman Cummings, nay; Councilman Wake, yea; Mayor Jackson, yea. Motion carried.

The motion was then presented to approve the requested lot split at 1007 North Dewey Street, upon the driveway being expanded to a minimum of thirteen feet (13') wide and concrete surface of no less than five inches (5") thick. Upon roll being called the vote was as follows: Councilman Wake, yea; Councilman Jonagan, yea; Councilwoman Cummings, nay; Mayor Jackson, yea. Motion carried.

#### **APPOINTMENT OF MICHELLE WADE TO THE MARYVILLE LIBRARY BOARD**

A request was made by the Maryville Library Board and Stephanie Patterson, Librarian to appoint Michelle Wade as a member of the Library Board, to replace the current position held by Jim Herauf. An application from Michelle Wade was included in the packet for the Council's consideration.

A motion was mad by Councilman Jonagan, seconded by Councilwoman Cummings, to appoint Michelle Wade as a member of the Maryville Library Board. Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilwoman Cummings, yea; Councilman Wake, yea; Mayor Jackson, yea. Motion carried.

#### **PURCHASE OF CONCRETE SAW FROM WATKIN'S TRUE VALUE, FOR STREET DEPT.**

The City Clerk presented a bill, being Bill No. 2011'08 for an Ordinance entitled:

##### **An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Watkins True Value, for the Purpose of Purchasing Husqvarna Concrete Saw, for the Street Department, Maryville, Missouri**

Five (5) quotes were received for the purchase of a Model FS 524 twenty-four inch (24") Husqvarna concrete saw. Watkin's True Value was low bidder at \$5,950.00. The City had budgeted \$7,500 for the purchase. There will also be two (2) saw blades purchased budgeted amount as well.

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 that Council Bill No. 2011'08 be approved as presented. Upon roll being called the vote was as follows: Councilwoman Cummings, yea; Councilman Wake, yea; Councilman Jonagan, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7301 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, being Contract No. 2011-06.

#### **STATE BLOCK GRANT WITH MISSOURI HIGHWAY & COMMISSION, AIRPORT FUEL SYSTEM**

The City Clerk presented a bill, being Bill No. 2011'13 for an Ordinance entitled:

**An Ordinance to Authorize the Mayor to Execute a Contract Between the City of Maryville, Missouri and the Missouri Highways and Transportation Commission providing for a State Block Grant for the Design and Installation of Fuel System, Northwest Missouri Regional Airport, Maryville, Missouri**

A contract between the City of Maryville and the Missouri Department of Transportation, Aviation Department, was presented to execute the State Block Grant Agreement in the amount of \$339,741.00, for funding of the fuel system. Associated with this grant is the City's required match of five percent (5%), or \$17,881.00.

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 Jonagan, seconded by Councilwoman Cummings, to approve Council Bill No. 2011'13. Upon roll being called the vote was as follows: Councilman Wake, yea; Councilman Jonagan, yea; Councilwoman Cummings, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7302 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, being Contract No. 2011-07.

#### **PLUMBING SUPPLIES-REEVES-WIEDEMANN, MOZINGO EQUESTRIAN TRAIL BATHHOUSE**

The City Clerk presented a bill, being Bill No. 2011'14 for an Ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Reeves-Wiedeman Company, for the Purpose of Purchasing Plumbing Supplies for the Mozingo Equestrian Trail Bathhouse, Maryville, Missouri**

February 15, 2011, a bid opening was held for the purchase of plumbing supplies for the bathhouse located at the Mozingo Equestrian Trail Project. The City received four (4) proposals from Reeves-Wiedeman, Company, Menards, Watkin's True Value, and Interline Brands, Inc. ad/b/a Sexauer. Reeves Wiedeman Company submitted the best and lowest bid at \$ 5,612.87. Staff recommended to the City Council to approve the purchase of the

supplies through Reeves-Wiedeman, Company. Funds to purchase these supplies will come from a Missouri Department of Natural Resources Grant received by the City of Maryville.

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. 2011'14. Upon roll being called the vote was as follows: Councilwoman Cummings, yea; Councilman Wake, yea; Councilman Jonagan, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7303 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, being Contract No. 2011-08.

#### **PURCHASE OF GREENS ROLLER FROM KANSAS GOLF AND TURF, MOZINGO GOLF COURSE**

The City Clerk presented a bill, being Bill No. 2011'15 for an Ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Kansas Golf and Turf, for the Purpose of Purchasing a Greens Roller for the Mozingo Golf Course, Maryville, Missouri**

The 2010-2011 Budget included \$14,500 for the purchase of a greens roller. Quotes were sought with Kansas Golf and Turf, submitting the lowest and best bidprice of \$9,995 for the roller, with an additional \$119.00 for the necessary lighting kit. Staff recommended that the City Purchase the greens roller and lighting kit from Kansas Golf and Turf at the cost of \$10,114.00.

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 Wake, to approve Council Bill No. 2011'15. Upon roll being called the vote was as follows: Councilman Jonagan, yea; Councilwoman Cummings, yea; Councilman Wake, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7304 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, being Contract No. 2011-09.

#### **CONSULTANT PROJECT AGREEMENT SUPPLEMENT NO. 4, FOR AIRPORT PROJECT**

The City Clerk presented a bill, being Bill No. 2011'16 for an Ordinance entitled:

**An Ordinance to Approve Supplement No. 4, of the Contract No 2005-17, with Snyder and Associates, for the Purpose of Providing Additional Engineering Services, for the Planned Improvements of Northwest Missouri Regional Airport, Project No 06-020A2 and 06-020A3, Maryville, Missouri**

The City, Missouri Department of Transportation, and Snyder and Associates have been working toward closing the Northwest Missouri Regional Airport Project. The City has been addressing some items related to reimbursements for the City and Engineer with MODoT. Supplement No. 4 was presented for additional engineering services, for calculating deducts related to the final grading plan and design of the regulator and vault system for the electrical service to the lighting system on the runway. The supplement requires an additional \$11,592.78 to be reimbursed to Snyder for these engineering services. The City will be responsible for five percent (5%), or \$579.64.

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. 2011'16. Upon roll being called the vote was as follows: Councilwoman Cummings, yea; Councilman Wake, yea; Councilman Jonagan, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7305 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, being Contract No. 2011-10.

**CHANGE ORDER NO. 2, WEST 16<sup>TH</sup> STREET PROJECT, WITH LOCH SAND AND CONSTRUCTION**

The City Clerk presented a bill, being Bill No. 2011'17 for an Ordinance entitled:

**An Ordinance Approving Change Order No. 2 of a Contract with Loch Sand and Construction Company, Inc., for the purpose of Constructing the West 16<sup>th</sup> Street Project, Maryville, Missouri**

Change Order No. 2, of the West 16<sup>th</sup> Street Project was presented to the City Council for approval. Included in the change order was costs for additional barricades and signage for traffic control at \$845.00; additional concrete flume from West 16<sup>th</sup> and Country Club Road, at \$4,090.00; Installation and connection of four (4) drain tiles at \$1,200.00; Cost sharing of temporary rock for property owners driveways at \$396.00; grading is needed when work resumes at the driveways, at a cost of \$450.00; for a total additional cost of \$6,981.00.

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 Wake, to approve Council Bill No. 2011'17. Upon roll being called the vote was as follows: Councilwoman Cummings, yea; Councilman Wake, yea; Councilman Jonagan, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7306 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, being Change Order No. 2 of the original contract, being Contract No. 2010-35.

### **CHANGE ORDER NO. 1 OF CONTRACT TO REPAIR BATHROOMS AT CITY HALL**

The City Clerk presented a bill, being Bill No. 2011'18 for an Ordinance entitled:

**An Ordinance Approving Change Order No. 1, of a Contract with Kansas City Master Company, Inc., for the Purpose of Repairing the South Bathrooms, at City Hall, Maryville, Missouri**

After work began on repairing the bathrooms, it was discovered that the footings were much larger and deeper than anticipated. Change Order No. 1, of a contract with Kansas City Master Company, Inc, to repair the City Hall bathrooms, includes re-engineering of the project and changes to the piers. The additional cost to this project is \$10,430.00, bring the total projected cost to \$29,252.00.

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 Wake that Change Order No. 2, of Contract No. 2011-03, be approved. Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilwoman Cummings, yea; Councilman Wake, yea; Mayor Jackson, yea. Motion carried.

Said bill was then numbered Ordinance No. 7307 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, being a part of Contract No. 2011-03.

### **EX-OFFICIO MEMBER TO CITY COUNCIL**

Mayor Jackson, reminded the Council Members that when he and City Manager LeCerf attended the Town and Gown Conference in Ankeny, Iowa, they were introduced to the idea of appointing a Northwest Missouri State University (NWMSU) Student as an Ex-officio Council Member, to serve as a liaison between NWMSU and the City. A sample resolution was reviewed by the Council. While reviewing the resolution, a suggestion was made to make the attendance requirements more flexible. The City Council will discuss the proposed further at an upcoming

meeting.

## **PEOPLESERVICES, INC., CONTRACT**

City Manager LeCerf reported that the City has contracted with People Services, Inc., for the past five (5) years to operate the City water and wastewater treatment plants. The current contract will expire at the end of the fiscal year 2011. Since the fiscal year comes to an end in seven (7) months Council Members were asked to consider what will be best for the City in considering a new contract. Mr. LeCerf stated that the City could continue the relationship with PeopleServices, Inc.; entertain other offers for these contract services through discussions or Request for Proposals; or explore the option to move the operations and maintenance back in-house. Council Members were asked to give it some thought and bring it to future discussions.

## **SAFE ROUTES TO SCHOOL GRANT FUNDING CYCLE**

City Manager LeCerf provided a map that depicted the current trails and the proposed future sections of trails to make application for through the Safe Routes to School Grant Funds, through the Missouri Department of Transportation. The recently released cycle of grant funds has a maximum of \$250,000 per application. Council Members were asked to consider their preference on the sections they would like application made for. The Trails Committee will be asked to give a recommendation to the Council on future trails.

## **REPORTS**

### **I. City Manager**

- City Manager LeCerf reported that Friday, February 25, a meeting was held associated with the Enhanced Enterprise Zone (EEZ). Kirby Kenny, Hughs Township, was appointed as representative for the 42 entities of taxing districts. There were five (5) represented in attendance that evening. A resolution will soon be presented for City participation. The County will be appointing the remaining members.
- A work session for the Council was proposed an hour prior to an upcoming Council Meeting to discuss event suggestions. A date was not determined at that time.
- A Request for Proposal bid document for the transfer station and feasibility study will be available in a draft form later in the week.

### **Council Members**

- Councilwoman Cumming announced the planned fundraiser for the New Nodaway Humane Society, “Yappy Hour” at the Pub, to be held Friday, March 11, from 4:00 to 7:00 p.m.
- A ribbon cutting was held in recognition of the cooperative recycling program between the City of Maryville and Northwest Missouri State University (NWMSU). Bins will be available at Beal Park, behind City Hall, Session-Eek Park, and at the NWMSU.
- Mayor Jackson announced that the Maryville Optimist Club has collected a total of 805 bags of trash (plastic grocery bag size), from June through December of 2010, through Pride of Maryville program. The Optimist Club covers the west side of Maryville, which includes Prather Avenue on the north; Main Street,



to the east; and Icon Road on the west; Route V, on the south. The Maryville Optimist Club has partnered with The Palms, First Methodist Church, A & G Restaurant, NWMSU, and the City of Maryville, by being allowed to dispose their trash bags at these sites.

- The Great Northwest Day was a good experience, but Mayor Jackson expressed his concern about the proposed Fair Tax. Concern of the effect it could have on the local sales tax and the sales made locally by those coming from Iowa.

#### **ADJOURNMENT**

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

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Chad Jackson, Mayor

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Sheila Smail, City Clerk