

**Maryville City Council Meeting**  
**Regular Session**  
**April 11, 2011**  
**7:00 p.m.**

The Council of the City of Maryville, Missouri, met in Regular Session on Monday, April 11, 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., Finance Denise Town, Dir., Public Safety Keith Wood; Dir., Public Works C.E. Goodall, Human Resource Manager Amy Strough and City Clerk Sheila Smail.

**APPROVAL OF AGENDA**

Mayor Jackson asked if there were any changes needed to the agenda, they be noted at this time. Mayor Jackson noted that No. 20. "Student Liaison to City Council", on the agenda, follows No. 9. "Payment Vendor Schedule", and that No. 19. "An Agreement Between the City and Melvin and Ann Gibson, Green Space", be postponed to a future meeting. A motion was made by Councilman Jonagan, seconded by Councilman Wake, that the agenda be approved as amended. 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 March 14 and 28, 2011.

Motion was made by Councilman Wake, seconded by Councilman Moss, that the minutes be approved, as presented. 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.

**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 no non-reoccurring funds for the month of March, but that non-reoccurring bills to be paid included chemical overages to People Services, (\$18,746.00); and City Hall bathroom repairs by Kansas City Master Company, (\$25,488.00)

Motion was made by Councilman Wake, seconded by Councilman Moss, 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 Councilman Moss, that the payment vendor schedule 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.

**STUDENT LIAISON TO CITY COUNCIL**

The City Clerk presented a bill, being Bill No. 2011'31 for a Resolution entitled:

**A Resolution for Appointment of a Student Liaison to the City Council of the  
City of Maryville, Missouri**

At the February 28, 2011, City Council meeting, a resolution was presented for City Council consideration to select a Northwest Missouri State University (NWMSU) Student to participate with the City Council as a non-voting liaison. After much discussion, a motion was made by Mayor Jackson, seconded by Councilman Jonagan, to amend Council Bill No 2011'31, as follows:

1. *Section Five: (C)*, delete "over the age of \_\_\_\_" and add "of a Junior or Senior status as described in the Student Handbook.
2. *Section Five: (E)*, shall "a student whose schedule will permit the appointee to attend every meeting of the City Council, including the summer months of May, June, July and August, or at minimum during summer months, appointee or an alternate, shall attend no less than one meeting and make contact the Mayor or the Mayor's representative once a month;
3. *Section Five (F)*, delete "who live in the city"
4. *Section Fourteen*, add to the end of the sentence "and be reviewed and evaluated one (1) year from passage.

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.

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 Wake, seconded by Councilman Jonagan, to approve Council Bill No 2011'31, as amended. 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 Resolution No. 572 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

#### **FINDINGS OF ELECTION OF CITY COUNCIL MEMBERS, APRIL 5, 2011**

The City Clerk presented a bill, being Bill No. 2011'24 for an Ordinance entitled:

**An Ordinance Finding and Declaring the Results of the General Election Held in the City of Maryville, Missouri, on April 5, 2011, Finding and Declaring that Ronnie L. Moss and James R. Fall Were Duly Elected as a Member of the City Council of the City of Maryville, Missouri, for a Three Year Term**

Results of the April 5, 2011, Election consisted of four (4) candidates who had filed for two (2) City Council positions, with Ronnie Moss and James Fall being duly elected. The results were as follows:

<b>Ronnie Moss</b>	<b>Votes</b>	<b>403</b>
<b>James R. Fall</b>	<b>Votes</b>	<b>464</b>
Richard A. Boettner	Votes	275
Patricia E. Cummings	Votes	218
_____	Votes	0
(write-in)		

Results of the election held on April 5, 2011, were provided, declaring Ronnie L. Moss and James R. Fall as the elected City Council Members for a three (3) year term.

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 Wake, seconded by Councilman Jonagan, to approve Council Bill No. 2011'24, appointing Ronnie Moss to another term as a City Council Member and to appoint James Fall to his initial term to the City Council. 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.

#### **DEPARTURE GIFT FOR COUNCILWOMAN CUMMINGS**

Mayor Jackson recognized and thanked Councilwoman Patricia Cummings for her six (6) years of dedication service as a Maryville City Council Member. Ms Cummings was presented with a Keurig Single Serve Brewer as a token of the City's appreciation.

#### **OATH OF OFFICE**

The City Clerk administered the oath of Office to Ronnie L. Moss and James R. Fall. Following the oath of office, Councilman Moss and Councilman Fall took their positions as members of the City Council.

#### **APPOINTMENT OF MAYOR**

Mayor Jackson declared the floor to be open for nominations for Mayor for the coming year.

A nomination was made by Councilman Jonagan, that Councilman Moss be appointed as Mayor of the City of Maryville, Missouri. With no further nominations, nominations ceased for the position of Mayor.

A motion was made by Councilman Jonagan, seconded by Councilman Wake, that Councilman Moss serve as Mayor for the coming year. Upon the roll being called, the vote was as follows: Councilman Wake, yea; Councilman Moss, yea; Councilman Jonagan, yea; Councilman Fall, yea; Mayor Jackson, yea. Motion carried.

#### **APPOINTMENT OF MAYOR PRO-TEM**

Mayor Jackson declared the floor open for nomination for Mayor Pro-Tem. A nomination was made by Mayor Jackson, that Councilman Wake, be appointed as Mayor Pro-Tem Wake for the coming year. With no further nominations, nominations ceased for the appointment of Mayor Pro-Tem.

A motion was made by Mayor Chad Jackson, seconded by Councilman Jonagan that Councilman Wake be appointed Mayor Pro-Tem, for the coming year. Upon the roll being called, the vote was as follows: Councilman Moss, yea; Councilman Jonagan, yea; Councilman Fall, yea; Councilman Wake, yea; Mayor Jackson, yea. Motion carried.

Mayor Moss and Mayor Pro-Tem Wake accepted their positions. Mayor Moss and Mayor Pro-Tem took their positions, with Mayor Moss leading the remainder of the meeting.

#### **SELECTION OF FIRM TO PROVIDE AUDITING SERVICES FOR THE 2010-2011 FISCAL YEAR**

Dir., of Finance Denise Town explained to the Mayor and Council Members that five (5) proposals were received for purpose of providing auditing services for the 2010-2011 fiscal year. The proposals were evaluated and scored. After scoring the technical proposals, the dollar cost bids were opened and added to the initial scores. Hochschild Bloom was recommended to be chosen at the total price of \$35,800 for the financial statement audit and the Single Audit, which is only required when an entity receives more than \$500,000 in federal grant funds. The City paid \$35,000 for fiscal year 2009-10 financial statement and Single Audit.

Motion was made by Councilman Jonagan, seconded by Councilman Wake, to select Hochschild Bloom to provide Auditing services for the 2010-11 fiscal year. A contract with Hochschild Bloom will be presented for approval at a future meeting.

#### **PRE-SELECTION OF ADMINISTRATIVE SERVICES, FOR STREET/DRAINAGE PROJECT**

The City Clerk presented a bill, being Bill No. 2011'25 for an Ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Northwest Missouri Regional Council of Governments, for the Purpose of Providing Professional Administrative Services for a Public Works Project (Street/Drainage Improvement Project) Financed With Community Block Grant Funds**

City Manager LeCerf explained that one (1) proposal, from Northwest Missouri Regional Council of Governments, was received for professional services for the Street and Drainage Improvements Project targeted for South Depot Street, paid in part through Community Block Grant Funds.

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 Jackson, seconded by Councilman Wake, to approve Council Bill No. 2011'25, selecting Northwest Missouri Regional Council of Governments, to provide Administrative Services. Upon roll being called, the vote was as follows: Councilman Fall, yea; Councilman Jackson, yea; Councilman Wake, yea; Councilman Jonagan, yea; Mayor Moss, yea. Motion carried.

Said bill was then numbered Ordinance No. 7315 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, and the contract was numbered Contract No. 2011-13.

#### **INTER-GOVERNMENTAL AGREEMENT BETWEEN CITY, COUNTY, AND POLK TOWNSHIP**

The City Clerk presented a bill, being Bill No. 2011'26 for an Ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute an Agreement with County Commission and Polk Township, for the Community Development Need of South Depot Street, Maryville, Missouri**

An agreement was presented between the City, the Nodaway County Commission and Polk Township regarding the street and drainage improvement project of South Depot Street.

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 Wake, seconded by Councilman Jonagan, to approve Council Bill No. 2011'26, to enter an agreement with the Nodaway County Commission and Polk Township, regarding the street and drainage improvement project, of South Depot Street. Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilman Fall, yea; Councilman Jackson, yea; Councilman Wake, yea; Mayor Moss, yea. Motion carried.

Said bill was then numbered Ordinance No. 7316 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, and the contract was numbered Contract No. 2011-14.

#### **DECLARATION OF SOUTH DEPOT AS BLIGHTED FOR APPLICATION OF CDBG PROGRAM**

The City Clerk presented a bill, being Bill No. 2011'27 for a Resolution entitled:

**A Resolution to Declare South Depot Street Owned by the City of Maryville as Blighted for the Application to the Missouri Department of Economic Development- Community Development Block Grant Program for Grant Funding of the South Depot Public Streets and Public Storm Improvement Project**

A resolution was presented declaring the City infrastructure on South Depot Street as blighted. The condition of South Depot Street is virtually impassable and the storm water drainage is not suitable for the area. Completion of a new road with proper drainage will facilitate other economic development opportunities. Upon approval, this resolution will accompany the application for the Community Development Block Grant to the Missouri Department of Economic Development.

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.

Motion was made by Councilman Wake, seconded by Councilman Jonagan, to approve Council Bill No. 2011'27, to declare South Depot Street as blighted. Upon roll being called, the vote was as follows:

Councilman Fall, yea; Councilman Jackson, yea; Councilman Wake, yea; Councilman Jonagan, yea; Mayor Moss, yea. Motion carried.

Said bill was then numbered Resolution No.573 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**PURCHASE GOLF COURSE TRACTOR, FROM COMMERCIAL TURF AND TRACTOR**

The City Clerk presented a bill, being Bill No. 2011'28 for an Ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute an Agreement with Commercial Turf and Tractor, for the Purpose of Purchasing a Used Massey Ferguson Tractor, for the Mozingo Golf Course Maintenance Department, Maryville, Missouri**

Eight quotes were received for the purchase of a Golf Course Tractor. It was recommended that the City purchase a Massey Ferguson Turf tractor from Commercial Turf and Tractor, at \$12,000. This was the amount budget for the purchase.

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 Jackson, seconded by Councilman Jonagan, to approve Council Bill No. 2011'28, to purchase a Massey Ferguson Turf Tractor for Mozingo Golf Maintenance. Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilman Fall, yea; Councilman Jackson, yea; Councilman Wake, yea; Mayor Moss, yea. Motion carried.

Said bill was then numbered Ordinance No. 7317 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, and the contract was numbered Contract No. 2011-15.

**AMENDMENT NO. 1 OF CONTRACT WITH PUBLIC WATER SUPPLY DISTRICT NO. 1**

The City Clerk presented a bill, being Bill No. 2011'29 for an Ordinance entitled:

**An Ordinance to Amend a Territorial Agreement and Contract Modification with Public Water Supply District No. 1**

An amendment to the Contract between the City of Maryville and Public Water Supply No. 1, adopted October 11, 2010, being Contract No. 2010-42, was presented. The amendment includes the following:

1) The agreement must contain the following pledge paragraph:

“Since said loan will be repaid from system revenues, this contract is hereby pledged to the United States of America as part of the security for said loan in accordance with the requirements of 7 CFR Section 1780.62.”

2) Clarification as to how the water rate will be determined and at what frequency the rate will be adjusted should be more clearly described.

3) As far as the organizational reference in the document to the City of Maryville, it needs to reference the appropriate state statutes.

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 Jackson, seconded by Councilman Wake, to approve Council Bill No. 2011'29, to amend Contract No. 2010-42. Upon roll being called, the vote was as follows: Councilman

Jonagan, yea; Councilman Fall, yea; Councilman Jackson, yea; Councilman Wake, yea; Mayor Moss, yea.  
Motion carried.

Said bill was then numbered Ordinance No. 7318 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, and made a part of the original Contract No. 2010-42.

## **REPORTS**

### **I. City Manager**

- An Arbor Day celebration is scheduled for Tuesday, April 12, 2011, at 1:00 p.m., at the CIE Building, on the Northwest Missouri State University campus.
- Transfer Station Operation and Maintenance proposals and Mazingo Park Feasibility Study proposals will be opened April 12, 2011.
- Requests had been made by citizens to extend the open burning period because of wind and rain. The Council agreed to extend the period through April 24, 2011.
- RDG Planning Design will be meeting with Council Members, Staff, Planning and Zoning Commission and concerned citizens with their proposal to solve the zoning issues around the Northwest campus area.

### **II. Council**

- A Joint Task Force meeting is scheduled for Monday, April 18, at 7:00 p.m., at Regional Council of Government. Public Water Supply District No. 1 (PWSD #1) Board will be meeting at the same time. Following the meetings, City officials are planning to meet PWSD #1 Board members at the PWSD #1 office for a photo to publish the recent territorial agreement between the two (2) entities.
- The University Collaboration Committee plan to meet at the Maryville School Districts Superintendents Office Tuesday, April 19, 2011, at 7:30 a.m.
- Councilman Jonagan thanked Chad Jackson for a job well done in serving as the City's Mayor for the past four (4) years.

## **ADJOURNMENT**

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

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Ronnie L. Moss, Mayor

ATTEST:

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Sheila Smail, City Clerk