

**Maryville City Council**  
**Regularly Scheduled Meeting**  
**May 23, 2011**  
**7:00 p.m.**

The Council of the City of Maryville, Missouri, met in regular session on Monday, May 23, 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 Moss and the roll was called by the City Clerk, with the following present to-wit: Mayor Ronnie Moss, Council Members Glenn Jonagan, James Fall, Chad Jackson, and Shawn Wake. Others present were City Manager Matt LeCerf; City Attorney Doug Thomson Dir., Public Works C.E. Goodall; Dir., Public Safety Keith Wood; Human Resource Manager Amy Strough and City Clerk Sheila Smail.

**PLEDGE TO THE FLAG**

Mayor Moss led the pledge to the flag.

**INVOCATION**

Councilman Jackson gave the invocation.

**APPROVAL OF THE AGENDA**

Mayor Moss requested any changes needed to the agenda, be noted at this time. Motion was made by Councilman Wake, seconded by Councilman Jackson, that the agenda be approved as presented. Upon roll being called, the vote was as follows: Councilman Jackson, yea; Councilman Wake, yea; Councilman Jonagan, yea; Councilman Fall, yea; Mayor Moss, yea. Motion carried.

**CITIZENS TO BE HEARD**

Mayor Moss 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.

**INTRODUCTION OF NORTHWEST STUDENT LIAISON TO CITY COUNCIL**

Dr. Matt Baker, Dean of Students at Northwest Missouri State University, introduce Collin DeBuysere, a senior, majoring in Management and Marketing. Mr. DeBuysere will be an active member with no voting privileges.

**AMERICAN LEGION REQUEST FOR STREET CLOSURE, MEMORIAL DAY CEREMONY**

A request was made by the Maryville American Legion, Post 100, to close North Main Street between 3<sup>rd</sup> and 4<sup>th</sup> Street, for the purpose holding the annual Memorial Days Celebration, on May 30, 2011, at 11:00 a.m. until 12:00 noon. Despite the construction going on in downtown area, Staff could not see any reason to deny the request for street closure time period.

Thereupon, motion was made by Councilman Wake, seconded by Councilman Jackson, that the request for street closure for the Memorial Day event be approved as presented. Upon roll being called, the vote was as follows: Councilman Wake, yea; Councilman Jonagan, yea; Councilman Fall, yea; Councilman Jackson, yea, Mayor Moss. Motion carried.

**SOCCER TOURNAMENT EVENT**

Councilman Wake introduced Dale Reuter, who spoke on the possibility of the City hosting a sanctioned soccer tournament to draw people to the Maryville area.

Mr. Reuter has coached several teams in the Maryville area and has taken his teams to tournaments in a number of other cities. He is familiar with the process of scheduling and the logistics of hosting a successful soccer tournament. He suggested starting small and building on the number of participating teams. Possible field available in the area were identified, but would need to be approved for use by the Park and Recreation Department and Northwest Missouri State University. By being registered with the Missouri Youth Soccer Association (MYSA), teams wanting to participate are believed to be beyond the capacity limits of the tournaments.

Mr. Reuter suggested acquiring sponsors to help fund the cost of hiring sanctioned referees and other

logistics. Because soccer games tend to be a family event, he encouraged inviting food vendors to set up at the soccer fields to generate revenue. Many families will be looking for activities between games.

The Maryville City Council agreed that hosting a soccer tournament could be beneficial to the City in bringing in more visitors. The City will move forward in obtaining more details in making the event reality.

**REQUEST FOR LOT SPLIT, LOT 13 AND 14, SUMMIT ADDITION, BRUCE AND POLLY TWADDLE**

The City Clerk presented a bill, being Bill No. 2011'46 for a Resolution entitled:

**A Resolution Authorizing a Lot Split of Property Owned by Bruce E. Twaddle and Polly J. Twaddle, Husband and Wife, Located on Burriss Road, Lot 13 and 14, of the Summit Addition, of Maryville, Nodaway County, Missouri**

An application for a lot split was received by Bruce and Polly Twaddle for property they plan to purchase and develop into additional parking for the dental business they own.

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 Jackson, seconded by Councilman Wake, to approve Council Bill No. 2011'46, to approve the lot split of Lots 13 and 14, in the Summit Addition. 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 Resolution No. 578 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**CONTRACT WITH GERKEN ENVIRONMENTAL ENTERPRISES, INC., FOR MOLD REMEDIATION**

The City Clerk presented a bill, being Bill No. 2011'47 for an Ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Gerken Environmental Enterprise, Inc., for the Purpose of Providing Mold Remediation Services at the Mazingo House at 32153 U.S. Hwy 136, Maryville, Missouri**

Two bids were received and opened on May 2, for services of mold remediation of the Mazingo House located at 32153 U.S. Hwy 136, east of Maryville. Gerken Environmental Enterprise, Inc. submitted a bid of \$9,435.00, while the bid received by KC Waterproofing Solutions was \$18,749.33. Staff recommended to the Council to enter into a contract with Gerken Environmental Enterprise, Inc., for the service of Mold Remediation.

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 that Council Bill No. 2011'47 be approved. 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. 7330 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, with the Contract being assigned Contract No. 2011-26.

**APPROVE NEGOTIATE CONTRACT WITH OLLSON ASSOC., STP 9900(113) TRAILS PROJECT**

The City Clerk presented a bill, being Bill No. 2011'48 for an Ordinance entitled:

**An Ordinance Approving the Negotiation of a Contract with Olsson Associates, for the Purpose of Providing Engineering Services for the STP 9900(113), Trails Phase "M" Project, Maryville, Missouri**

As part of the requirements for the Missouri Department of Transportation Enhancement Fund Program, the City solicited for engineering services for the STP 9900(113) Trails Phase "M" project, which will provide a trail from the Maryville Middle School to the north entrance of St. Francis Hospital. The City had five (5) proposals,

which were reviewed and graded by City Manager LeCerf and the Dir., Public Works Goodall for the firm to be selected to provide the engineering services needed for the project. Staff recommended to the City Council to negotiate an agreement with Olsson Associates. Upon the negotiated contract completion, the City Council will review and consider the contract for approval.

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 Jackson, to approve Council Bill No. 2011'48. 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. 7331 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk

**CHANGE ORDER NO. 4, LOCH SAND AND CONSTRUCTION, FOR WEST 16<sup>TH</sup> STREET PROJECT**

The City Clerk presented a bill, being Bill No. 2011'49 for an Ordinance entitled:

**An Ordinance Approving Change Order No. 4, 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. 4, of Contract No. 2010-35, with Loch Sand and Construction Company, Inc., was presented for eliminating unnecessary driveway concrete work, with a credit of \$559.65, as well as adding private drains to be tied into the system, resulting from a decision made to eliminate a ditch. By installing an edge drain, it will meet the needs of the area, at an increase cost of \$1,240.00, making a total sum increase for Change Order No. 4, of \$680.35.

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 Councilman Fall, to approve Council Bill No. 2011'49. Upon roll being called the vote was as follows: Councilman Wake, yea; Councilman Jonagan, yea; Councilman Fall, yea; Councilman Jackson, yea; Mayor Moss, yea. Motion carried.

Said bill was then numbered Ordinance No. 7332 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, and made a part of Contract No. 2010-35.

**CHANGE ORDER NO 1, CONTRACT WITH CBI, INC., WATER TOWER CONSTRUCTION PROJECT**

The City Clerk presented a bill, being Bill No. 2011'50 for an Ordinance entitled:

**An Ordinance Approving Change Order No. 1, of a Contract with Chicago Bridge and Iron Constructors, Inc., for the Purpose of Constructing Two, 750,000 Gallon Capacity Water Towers, Maryville Missouri**

Change Order No. 1, of Contract No. 2010-12, was presented to the City Council for approval, requesting to change the electrical service entrance and the location of the service transformer, for an additional cost of \$6,844.76, bringing the contract price to \$2,559,844.76.

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 Fall, to approve Council Bill No. 2011'50. 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. 7333 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. 2010-12.

**APPOINT/RE-APPOINT MEMBERS TO PUBLIC LIBRARY BOARD**

Stephanie Patterson, Director of the Maryville Public Library requested that Marilyn Rhea be reappointed to the Library Board for another three (3) year term. The first term she served was a partial, so she is able to serve another before reaching the maximum of three full terms, according to Missouri State Statute.

Lisa Macali and Rosie Duty had served three (3) consecutive terms as members of the Maryville Public Library Board. Therefore, they were ineligible to serve another term. Amber Galbraith and Jeff Smith had made application to become members of the Maryville Public Library Board, serving a three (3) year term.

Members of the City Council agreed to re-appoint Marilyn Rhea and to appoint Jeff Smith and Amber Galbraith to their first terms of the Maryville Public Library Board.

**APPOINTMENT NEW MEMBER TO TREE PLANTING BOARD**

An application was received from Adam Stone, requesting to be appointed a member of the City Tree Board. He is an ISA certified arborist, with twenty (20) years of experience. The Maryville Tree Planting Board have two (2) vacancies for Alternate Members. Mr. Stone was appointed by the City Council to serve in one of these positions.

**REAPPOINTMENT OF PARK AND RECREATION BOARD MEMBERS**

Rod Auxier, Dir., Park and Recreation requested that the City Council consider reappointment of Jeff Anderson and Matt Symonds to the Maryville Park and Recreation Board for another three (3) year term. Member Shelley Lorek will not be serving another term so the Board will be requesting appointment of another member in the near future.

The Maryville City Council approved the reappointment of Jeff Anderson and Matt Symonds to the Park and Recreation board.

**REPORTS**

**I. City Manager**

- A drafted letter was distributed to Council Members for review, regarding the acquisition of service territory outlined in the agreement between Public Water Supply and the City of Maryville. The letter was written to serve as the thirty (30) day notice of the City's plan to acquire certain service territory in the Pleasant Ridge Subdivision. Council agreed to proceed with sending the letter.
- The Water and Sewer Ordinance is being examined for changes to a required deposit for water and sewer service. Currently, a deposit of \$125 is required for anyone requesting water service from the City, including pre-existing customers. It was proposed to change the ordinance back to the previous method of collecting deposits.
- Consideration has been given to increase the water and sewer service rates in the near future, by twenty percent (20%). Rates have not been an increase for nearly three (3) years and in order to keep up with the rising costs of improvements and maintenance of the water and sewer systems an increase will be necessary.
- A work session for the City Council and staff associated with the water and sewer systems is needed to discuss the options available for maintaining/replacing membranes. The meeting will be scheduled, as soon as a date is determined that all Council Members are available to attend.

**II. Council Members**

- Councilman Wake stated that he met with personnel of Pluvius, Inc., the company contracted to operate and maintain the Maryville Transfer Station. A meeting was held with the local trash haulers and Pluvius personnel, and was reported to have gone well.
- Councilman Jackson met with the Nodaway County Fair Board to discuss the possibility of adding an event to the schedule for the Nodaway County Fair. One suggested event was to include sidewalk artists. Sidewalk art was not thought to be a good choice for the Fair because of the heavy foot traffic during the fair. The Board seemed to be open to ideas but stated that funds were not available through the Fair Board. The City will be in touch with the Board on further developments of events.
- Councilman Jonagan reported that there will be an announcement of changes being made by the Missouri Department of Transportation on maintenance in the future.

**EXECUTIVE SESSION**

Motion was made by Councilman Wake, seconded by Councilman Jackson that the Council, go into executive session. 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.

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

**ADJOURNMENT**

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

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Shawn Wake, Mayor Pro-tem

ATTEST:

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Sheila Smail, City Clerk