

**Maryville City Council**  
**Regularly Scheduled Meeting**  
**June 27, 2011**  
**7:00 p.m.**

The Council of the City of Maryville, Missouri, met in regular session on Monday, June 27, 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; Dir., Finance Denise Town; Human Resource Manager Amy Strough; City Council Liaison Collin DeBuysere and City Clerk Sheila Smail.

**PLEDGE TO THE FLAG**

Mayor Moss led the pledge to the flag.

**INVOCATION**

Mayor Moss 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.

**REQUEST FROM CAMPAIGN FOR COMMUNITY RENEWAL-HANGING PLANTS DOWNTOWN**

Jim Blackford and Joyce Cronin, Members of the Campaign for Community Renewal addressed the City Council requesting that the City take on the responsibility of the hanging plants in the downtown area once the project is complete. With the completion of this project, the Campaign for Community Renewal Committee will disband, for their mission will have been accomplished.

The Council was provided with an approximate cost for the annual plantings, which was \$810.00. The completed project will include a total of twenty-seven (27) baskets.

A motion was made by Councilman Jonagan, seconded by Mayor Moss that the City take on the responsibility of the hanging plants in the downtown area. The Council discussed the idea of approaching the Nodaway County Commissioners to share the responsibility of the hanging plants with the City.

A motion was made by Councilman Jonagan, seconded by Mayor Moss, to table the issue until the County Commissioners could be notified to gauge their interest in sharing the responsibility with the City. Thereupon roll was called with the vote as follows: Councilman Wake, yea; Councilman Jonagan, yea; Councilman Fall, yea; Councilman Jackson, yea; Mayor Moss, yea. Motion carried. The issue will be brought back for discussion at the next meeting.

**ANNUAL KIDS FISHING CONTEST AT MOZINGO LAKE, HOSTED BY MARYVILLE OPTIMISTS**

A request was made by the Maryville Optimist Club to hold their Annual Kid's Fishing Contest at Mozingo Lake, over the 4<sup>th</sup> of July weekend, on July 2, 2011. Submitted with the application, was the required liability insurance and the signed Hold Harmless and Indemnification Agreement. Sign-in is scheduled for 8:30 a.m., fishing beginning at 8:45 a.m. and ending at 11:00 a.m., with prizes and ice cream to follow.

Thereupon, motion was made by Councilman Jonagan, seconded by Councilman Fall, that the request to hold the Kid's Fishing Contest event be approved as presented. Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilman Fall, yea; Councilman Jackson, yea, Councilman Wake, yea; Mayor Moss.

Motion carried.

**STORMWATER DRAINAGE ISSUES – SHAWN COCHRAN AND NICK HENDERSON**

Nick Henderson introduced himself as a representative of Shawn Cochran, who was having drainage issues between West Lieber Street and West South Ave. Mr. Henderson provided a petition signed by persons in the West Lieber Street/West South Avenue area, requesting the City provide immediate attention to the drainage issues in the low lying areas of the streets named. Photos were provided.

City staff visited the site a week prior and determined that at one time there was possibly a ditch that ran through the area, but it has since silted in. A request was made that the City of Maryville install a drainage tube to alleviate the water that stands on the properties in the area.

It was determined the area was private property and that the City is not responsible. The property owners would be responsible to make any changes needed.

**REQUEST FOR NODAWAY COUNTY FAIR PARADE, BY CHAMBER OF COMMERCE**

A request was made to the City Council, by the Greater Maryville Chamber of Commerce, to hold the Nodaway County Fair Parade on July 16, 2011, at 9:30 a.m., upon the streets of Maryville. It was proposed that the event begin on College Avenue, at the University, following College Avenue/4<sup>th</sup> Street to Buchanan Street, then turn south on Buchanan to 2<sup>nd</sup> Street, where it will disperse. The required liability insurance and signed Hold Harmless/Indemnification agreement were provided.

Motion was made by Councilman Wake, seconded by Councilman Jackson, that the request to hold the Nodaway County Fair Parade be approved as presented. 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.

**REQUEST FOR SUMMER CONCERT SERIES, BY CHAMBER OF COMMERCE**

A request was made by the Greater Maryville Chamber of Commerce, to hold a Summer Concert Series with the three (3) dates being July 21, August 18, and September 8, 2011. The request included the closure of North Main Street, between 3<sup>rd</sup> and 4<sup>th</sup> Streets, excluding the intersections. The required liability insurance and signed Hold Harmless/Indemnification agreement were provided.

Motion was made by Councilman Wake, seconded by Councilman Jonagan, that the request to hold the Nodaway County Fair Parade 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.

**2011 LIQUOR LICENSE APPROVALS – CONTINUATION**

At the June 13, 2011, City Council Meeting the Council approved the majority of the renewal requests made by local liquor licenses holders for the 2011-2012 year. Others, including LaBonita's Restaurant, Burny's Sports Bar, Younger's Auction Gallery, Mazingo Golf Clubhouse, Maryville Elk's Club, and the World Famous Outback were presented for approval at the June 27<sup>th</sup> Council Meeting. The World Famous Outback was recommended to be approved contingent upon the completion and approval by Code Enforcement, of the structural work required of the building the license issued for.

Motion was made by Councilman Fall, seconded by Councilman Jonagan, that the request to hold the liquor licenses be approved as presented by the Dir., of Public Safety Keith Wood. 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.

It was noted that there are three (3) remaining businesses to obtain their renewal of liquor licenses.

**LETTER ON GRASS CLIPPINGS THROWN INTO THE STREETS, MARK CLEMENTS**

A letter was received from Mark Clements, 963 South Market Street, requesting the City Manager, Mayor and City Council consider an ordinance prohibiting discharge of grass clippings into the street. Mr. Clements was present to discuss his thoughts with the City Council.

The Council discussed the enforcement of an ordinance of this nature and will take the request under

consideration.

**PARTICIPATION OF THE 2011 BACK TO SCHOOL SALES TAX HOLIDAY**

The Maryville City Council was asked to consider participating in the 2011 Back to School Sales Tax Holiday, scheduled to begin Friday, August 5 at 12:00 a.m. until Sunday, August 7, at midnight, 2011. This event allows consumers to purchase clothing and school supplies free of State and City taxes, should the Council agree to participate. The City Council agreed to participate again in 2011. No further action will be necessary to participate in the event.

**STORM SIRENS**

Since the new storm sirens have been installed and are functional, there have been a number of calls from concerned citizens, after the two (2) storms that passed through recently. Dir., Public Works Keith Wood stated that for many years it has been the policy of the City to confirm and verify information provided by the National Weather Service, by placing spotters out watching the sky. Along with that, dispatch and other responding personnel are monitoring several radar sources and monitoring progress of a storm via radio traffic.

As part of the new siren system installation the University purchased an activation unit that enables them to engage the siren on Campus. The policy set by the University is to activate the siren anytime they are placed in a tornado warning, with or without confirmation. Consequently, the City changed its policy to the same as that followed by Northwest Missouri State University. The City will still use spotters if and when needed.

**DISCLOSE POTENTIAL CONFLICT OF INTEREST AND SUBSTAINIAL INTERESTS**

The City Clerk presented a bill, being Bill No. 2011'56 for an Ordinance entitled:

**An Ordinance of the City of Maryville, Missouri to Establish a Procedure to Disclose Potential Conflicts of Interest and Substantial Interests for Certain Officials**

The Missouri Ethics Commission requires that a municipality re-adopt their Personal Financial Disclosure Ordinance every two (2) years. Upon adoption, a copy of the ordinance will be forwarded to the State.

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. 2011'57. 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. 7338 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**AGREEMENT WITH OLSSON ASSOCIATES, ENGINEERING SERVICES, MMS/HOSPITAL TRAILS**

The City Clerk presented a bill, being Bill No. 2011'57 for an Ordinance entitled:

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

An ordinance was presented to sign an agreement with Olsson Associates to provide engineering services for the trails project, located between the Maryville Middle School and St. Francis Hospital, identified as the STP 9900(113), Trails, Phase "M". The agreement is for the amount of \$34,761.26.

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 that Council Bill No. 2011'57 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. 7339 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. 2011-30.

**REVIEW OF PROPOSED CHANGES TO WATER/SEWER ORDINANCE, CHAPTER 705**

Provided in the Council Packet was the proposed changes to the Water/Sewer Ordinance to be considered by the Council for approval in the near future. City Manager LeCerf explained the changes included the following items:

1. *Deposit Or Refund.* After a customer maintains at least three (3) consecutive years of continuous, timely payments of their utility service account, any security deposit previously paid shall be refunded as credit to the customer's utility service account, no longer being required to maintain a utility service deposit, but will still be required to pay any applicable service initiation fee or service transfer fee. After the requirement for a security deposit is terminated, if the utility service of the customer is disconnected for non-payment, the requirement for a security deposit shall be reinstated and the deposit shall be paid by the customer prior to reconnection or continuation of the utility service.
  
2. *Water Tap Permit Fee:* As part of the new contract with the PWSD #1 – Nodaway County, the City of Maryville is able to acquire vacant property to service water that is within the PWSD #1 territory. If the City purchases service rights of a property, the City would pay a fee on a per lot basis of \$3,800.00 to PWSD #1. To help defray the costs associated with this fee, the proposal as part of this ordinance includes a fee of \$2,000 for properties that the City acquires as part of this agreement
  
3. *Water & Sewer Rate Increase:* City Staff has worked to establish a general idea of necessary revenues to offset expenditures while ensuring the City keeps a comfortable contingency level when unplanned, but immediate and necessary events occur resulting in unbudgeted expenditures. Long-term Capital Improvements Project List were reviewed and they incorporated necessary improvements into the long-range pricing structure to be sure we could afford estimated debt services and also have the ability to pay some capital projects on a pay as you go method rather than incurring additional debt services. Some of the major projects that are under construction or are planned in the next 3-5 years include the following:

Financed Projects and Term

• WWTP Improvements	\$14,000,000.00* – 20 years (includes interest)
• WTP Improvements	\$3,500,000.00 – 10 years (still being evaluated)
• Water Towers	\$4,700,000.00 – 20 years
• Existing Water/Lake Bonds	\$3,300,000.00 – 7 years remaining (existing debt)
<i>TOTAL</i>	\$25,500,000.00

*\*Indicates not including interest on debt payments*

Pay as You Go Projects

• Waterline Improvement	\$1,750,000.00 (Part CIP Tax)
• HSP Project	\$465,000.00
• Inflow and Infiltration	\$3,000,000.00 – over 10 years
• SCADA System	\$350,000.00
• Lift Station Generators	\$125,000.00
• Contract Services	\$3,500,000.00 – 5 years
<i>TOTAL</i>	\$9,190,000.00

The tentatively proposed schedule for increases are as follows and were suggested to be reviewed on a regular basis to ensure objectives are being met, the city remain fiscally sound and that the City keeps rates at a reasonable rate so as to not to significantly burden the customer.

Month/Year	Water % Increase	Sewer % Increase	
08/2011	20	20	
10/2014	10	15	
10/2018	10	15	

City Manager LeCerf also provided a report from the Missouri Municipal League of surveys taken from Missouri municipalities on water rates from 2007 and sewer rates from 2009, for review by the City Council.

**REPORTS**

**I. City Manager**

- July 20, 2011, an Enhanced Enterprise Zone meeting will be held at the Nodaway County Administrative Building at 2:30 pm.

**II. Council Members**

- At the next meeting a discussion will be held regarding the support of the phrase, "In God We Trust".

**EXECUTIVE SESSION**

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

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

**ADJOURNMENT**

Motion was made by Councilman Jackson, seconded by Councilman Wake that the meeting be adjourned. Upon the 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. Meeting was adjourned.

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Shawn Wake, Mayor Pro-tem

ATTEST:

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Sheila Smail, City Clerk