

**Maryville City Council**  
**Regular Scheduled Meeting**  
**August 22, 2011**  
**7:00 p.m.**

The Council of the City of Maryville, Missouri, met in regular session on Monday, August 22, 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; Council Liaison Collin DeBuysere and City Clerk Sheila Smail.

**PUBLIC HEARING**

Mayor Moss opened the public hearing for property tax rates proposed to be set by the City of Maryville, Missouri for the fiscal year beginning October 2011. Any person wishing to be heard on the subject was asked to stand and state their name and address for the records. No persons came forward to be heard.

With no further discussion the public hearing was closed and the Council moved on to other business.

**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. Mayor Moss stated that agenda item 18. Sewer Main Lining Project Contract will be removed from the agenda. With no further changes noted, motion was made by Councilman Wake, seconded by Councilman Jonagan, that the agenda be approved as amended. 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.

**LAURA STREET BAPTIST CHURCH REQUESTS ANNUAL WATER FIGHT EVENT**

An application was submitted by Laura Street Baptist Church to hold their annual water fight event for the youth. The request included the use of the fire department apparatus and a water meter to measure the water used. They provided the City the signed Hold Harmless/Indemnification document and a certificate of Liability Insurance, naming the City as an additional insured, as required.

Motion was made by Councilman Wake, seconded by Councilman Fall, to approve the request to hold the annual Laura Street Baptist Church Water Fight. 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.

**MOZINGO GOLF GROUP OUTINGS FOR 2012**

City Manager LeCerf reported that he had been approached by a representative of the Tobin Golf Tournament, which supports the St. Francis Foundation. The contact was made to gage the intention of the City of Maryville to provide a continued discount on the annual golf outing, which is two shotguns, and is a full day event. In the past, the City charged \$3,000 per shotgun. It was recommended that the City charge \$3,000 per shotgun for the Tobin Golf Tournament and the Bearcat Classic, for 2012.

Motion was made by Councilman Wake, seconded by Councilman Jackson, to charge \$3,000 per shotgun for the Tobin Golf Tournament and the Bearcat Classic Tournament for 2012. 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.

**PARK AND RECREATION BOARD APPOINTMENT – ADAM STONE**

An application was submitted by Adam Stone to be appointed as a member of the Park and Recreation. After reviewing the application, Rod Auxier, Dir., of Park and Recreation, requested the City Council consider Mr. Stone for appointment.

Motion was made by Councilman Wake, seconded by Councilman Jonagan, to appoint Adam Stone to the Park and Recreation Board to the position vacated by Shelly Lorek. 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.

**APPROVAL OF FINAL PLAT FOR SOUTHDALe SUBDIVISION, PHASE III**

The City Clerk presented a bill, being Bill No. 2011'72 for an Ordinance entitled:

**An Ordinance to Approve the Final Plat of Southdale Subdivision, Phase III, an Addition of the City of Maryville, Nodaway County, Missouri, and to Authorize the City Clerk to Endorse Approval of the Council on the Plat**

Planning and Zoning Commission met to discuss the approval of the final plat, of the Southdale Subdivision, Phase III. The Commission voted to recommend to the City Council to approve the final plat as presented. Infrastructure which includes water, sewer, storm water, and streets, have been inspected and passed 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 Councilman Jackson, seconded by Councilman Jonagan, to approve Council Bill No. 2011'72, to approve the final plat for Southdale Subdivision, Phase III. 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.

Said bill was then numbered Ordinance No. 7351 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**PROPERTY TAX RATES FOR GENERAL MUNICIPAL PURPOSES, LIBRARY, AND PARKS, 2011**

The City Clerk presented a bill, being Bill No. 2011'73 for an Ordinance entitled:

**An Ordinance Providing for the Levy and Collection of a Tax on the Taxable Real and Personal Property in the City of Maryville, Missouri, for the Year 2011, for General Municipal Purposes, for the Purpose of Maintaining the Free Public Library in Said City, for the Purpose of the Establishment and Maintenance of Free Public Parks and Providing for Suitable Entertainment Therein**

Taxes on Real and Personal Property, for the General Fund were proposed to be set at \$.3383 per \$100 assessed valuation; Public Library tax at \$.1529, per \$100 assessed valuation; and Public Parks and Recreation tax at \$.3000, per \$100 assessed valuation. The tax rates are set by the Secretary of State's Office.

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. 2011'73, to approve the proposed tax rates 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, yea. Motion carried.

Said bill was then numbered Ordinance No. 7352 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**PROPERTY TAX RATES FOR FUNDS TO PAY GENERAL OBLIGATION BONDS, 2011**

The City Clerk presented a bill, being Bill No. 2011'74 for an Ordinance entitled:

**An Ordinance Providing for the Levy and Collection of a Tax on the Taxable Real and Personal Property in the City of Maryville, Missouri, for the Year 2011, for the Purpose of Obtaining Funds to Pay General Obligation Bonds**

Taxes on Real and Personal Property, to obtain funds to pay general obligation bonds at the rate of \$.1294, per \$100 assessed valuation.

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 Wake, to approve Council Bill No. 2011'74, to approve the proposed general obligation bond tax rates, 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.

Said bill was then numbered Ordinance No. 7353 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**AMEND SECTION 212.230: CAMPING; PRIMITIVE CAMPING, CHECKOUT TIME, PAYMENT**

The City Clerk presented a bill, being Bill No. 2011'75 for an Ordinance entitled:

**An Ordinance to Amend Section 212.230: Camping, of Title II. Public Health, Safety and Welfare, Chapter 212: Mazingo Park Regulations, Article I: Regulations-Generally, of the Maryville Municipal Code, Maryville, Missouri**

During the August 8, 2011 City Council meeting, the Council elected to change the RV Camping checkout time from 5:00 p.m. to 1:00 p.m. Since that time, it was realized by staff that Section 212.230 did not include a specified checkout time for primitive camping, nor did this Section identify when campers were expected to pay for campsites. The proposed amendment will cover these items.

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 that Council Bill No. 2011'75 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. 7354 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**AMENDMENT TO SECTION 212.235: RESERVATIONS FOR RVCAMPING; CHECKOUT TIME**

The City Clerk presented a bill, being Bill No. 2011'76 for an Ordinance entitled:

**An Ordinance to Amend Section 212.235: Reservations for RV Camping Spaces, (3), of Title II. Public Health, Safety, and Welfare, Chapter 212: Mazingo Park Regulations, of the Maryville Municipal Code, Maryville, Missouri**

During the August 8, 2011 City Council meeting, the Council elected to change the RV Camping checkout time from 5:00 p.m. to 1:00 p.m. In order to be consistent with the other RV Campsites, it was recommended that

the City Council approve the amendment presented

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. 2011'63. 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.

Said bill was then numbered Ordinance No. 7355 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk

**AMEND SECTION 212.240: SHELTER HOUSE RESERVATIONS, CANCELLATION POLICY**

The City Clerk presented a bill, being Bill No. 2011'77 for an Ordinance entitled:

**An Ordinance to Amend Section 212.240: Shelter House Reservations, of Title II. Public Health, Safety, and Welfare, Chapter 212: Mazingo Park Regulations, Article I: Regulations-Generally, of the Maryville Municipal, Maryville, Missouri**

Cancellations for reservation of shelters at Mazingo Park have increased recently, leaving the city without revenue, with a cancellation policy. It was recommended to Council to implement a policy for canceling a reservation within a specified time.

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. 2011'77. Upon roll being called the vote was as follows: Councilman Wake, yea; Councilman Jackson, yea; Councilman Jonagan, yea; Councilman Fall, yea; Mayor Moss, yea. Motion carried.

Said bill was then numbered Ordinance No. 7356 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**CONTRACT WITH ACE PIPE CLEANING, MANHOLE REPLACEMENT PROJECT**

The City Clerk presented a bill, being Bill No. 2011'78 for an Ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri to Execute a Contract with ACE Pipe Cleaning, Inc., for the Purpose of Providing Necessary Manhole Rehabilitation/Replacement as Designed, Maryville, Missouri**

Two bids were received resulting from the Request for Proposal for the Manhole Rehabilitation/Replacement Project. ACE Pipe Cleaning, Inc submitted a bid of \$92,275.80 and Utility Solutions' bid came in at \$ 69,054.50. Although ACE Pipe Cleaning, Inc. was noted as the higher bid of the two received, it was recommended that ACE Pipe Cleaning be contracted to provide the Manhole Rehabilitation/Replacement services. ACE Pipeline was chosen because staff believed they would provide better services, taking into account the past services provided.

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. 2011'78. 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. 7357 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, and the agreement identified as Contract No. 2011-34.

## **REPORTS**

### **I. City Manager**

- Notification was received from Missouri Government and Financial Officers Association (GOFOA), that the City of Maryville was selected to receive a Certificate of Achievement for Excellence of Financial Reporting (CAFR) Award for the second consecutive year. Dir., Finance Denise Town prepared the award winning document.
- City Council and Staff will meet to review the proposed 2011-2012 Budget on Thursday, August 25, 2011. City Manager stated that the proposed budget includes an increase of L-9 to L-12, which would provide for an increase in retirement funds for City Employees.
- IDM plans to hold a meeting soon.
- Due to the hailstorm the Transfer Station area will extend their operation hours beginning August 23 thru August 26, from 7:30 a.m. until 7:00 p.m., to allow residents to dispose of debris and limbs and trees downed from the storm, for residents only.

### **II. Council Members**

- Councilman Jonagan was contacted by a resident who inquired about why the City does not have a curfew for the youth. Director Wood explained that the City does not deal with a great deal of trouble and suggested that a curfew would not necessarily solve problems.
- Councilman Fall stated that the Mazingo Advisory Board will work in conjunction with some Northwest Marketing Students, to assist in developing a marketing strategy.
- Councilman Wake inquired about extending the upcoming burn period from this date until the end of the next regularly scheduled period, ending November 7, 2011. Council approved of the extension.

## **ADJOURNMENT**

Motion was made by Councilman Jonagan, 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.

ATTEST:

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Ronnie L. Moss, Mayor

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Sheila Smail, City Clerk