

Maryville City Council
Regular Scheduled Meeting
October 24, 2011
7:00 p.m.

The Council of the City of Maryville, Missouri, met in regular session on Monday, October 24, 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, Shawn Wake, and Chad Jackson. Others present were City Manager Matt LeCerf; City Attorney Doug Thomson Dir., Public Works C.E. Goodall; Human Resource Manager Amy Strough; Dir., Public Safety Keith Wood; Council Liaison Collin DeBuysere and City Clerk Sheila Smail. Dir., Finance Denise Town was present until the completion of Council Bill 2011'92, at which time she excused herself from the meeting.

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. It was noted Numbers. 17, Membership and Support of Nodaway County Economic Development, and No. 23, Discussion: Request for Qualifications – Broker for Employees be moved to follow agenda item No. 13, Development of Affordable Rental Housing, MBL Development, as No. 13A and 13B. No. 11, MIRMA Presentation was recommended to be removed and a discussion for a request of recognition of David Middleton, by the Mazingo Advisory Board was added to the agenda. With no further changes, motion was made by Councilman Jonagan, seconded by Councilman Jackson, 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.

TEMPORARY STREET CLOSURE FOR VETERANS DAY CELEBRATION – AMERICAN LEGION

An application was submitted by the American Legion Post #100, to close North Main Street between 3rd Street and 4th Street, to hold the annual Veteran's Day Celebration, on November 11, 2011, at 11:00 a.m. until 12:00 noon. As in past years, the city was asked to provide traffic barriers for the requested portion of street to be closed.

Motion was made by Councilman Jackson, seconded by Councilman Wake, to approve the request to close North Main Street between 3rd Street and 4th Street, on North Main Street, November 11, 2011, from 11:00 a.m. until 12:00 noon. 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.

GREAT NORTHWEST DAYS – CHAMBER OF COMMERCE

Luke Reven, Dir., Greater Maryville Chamber of Commerce announced that the Great Northwest Days are scheduled for January 31 thru February 1, 2012, at the State Capital. Mr. Reven asked the City Council for their financial support for the Great Northwest Days, as has been done in the past. The Great Northwest Days is an event that allows local businesses, government agencies and individuals to speak with State lawmakers about concerning issues of their region. Mr. Reven also asked for suggestions from the Council Members to include on the agenda to be discussed at the event. Council Members were asked to notify Mr. Reven of items they would like to include.

Motion was made by Councilman Wake, seconded by Councilman Jackson, that the City financially

supports the Great Northwest Days event in the amount of \$1,500.00. 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.

OPEN AIR MARKET PROPOSAL

Beverly Henry and Misty Richmond-Meyer made a request support from the City Council in allowing them to organize an Open Air Market to be held in downtown Maryville, to commence in the spring of 2012 and continue until mid October, 2012. Vendors would be invited to display and sale items to the public, such as fresh produce, baked goods, antiques, jewelry, home décor, crafts and other hobby items, as well as an array of other goods. The market would not include “garage sale” items. Ideas were discussed regarding the process in which they recommended for a successful event. They requested that the city forgo the fingerprint requirement for a solicitor permit.

The City Council recommended that Dir., of Public Safety Keith Wood and City Clerk Sheila Smail meet with Ms Henry and Ms Richmond-Meyer to discuss the needs and possibilities of the proposed event.

EMPLOYEE OF THE 3RD QUARTER OF 2011 – JIM WIEDERHOLT, CODE ENFORCEMENT

Code Enforcement Officer Jim Wiederholt was recognized as the Employee of the Quarter, for the third quarter of 2011. Mr. Wiederholt began working part-time for the City of Maryville in 1991. He soon went to full time with the title of Assistant Code Enforcement Officer. In 1998 he was promoted to Code Enforcement Officer. Mr. Wiederholt was recognized for his knowledge and dedication to his position as a Code Enforcement Officer.

DEVELOPMENT OF AFFORDABLE RENTAL HOUSING, MBL DEVELOPMENT

The City Clerk presented a bill, being Bill No. 2011'93 for a Resolution entitled:

A Resolution of Support of MBL Development Company, for the Development of Affordable Rental Housing to be Located at Burriss Road, County of Nodaway, City of Maryville, Missouri

Mr. Kim Lingle, MBL Development, was present to request support from the City Council Members for Villas at the Summit, Phase II, for development of additional affordable rental housing, on Aurora Street. Mr. Lingle plans to make application to the Missouri Housing Development Commission, to expand the current housing development by adding twenty-four units.

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 Fall, seconded by Councilman Jackson, to approve the resolution of support for the support of development of additional affordable rental housing proposed by MBL Development. 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 Resolution No. 583 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

MEMBERSHIP AND SUPPORT OF NODAWAY COUNTY ECONOMIC DEVELOPMENT

The City Clerk presented a bill, being Bill No. 2011'97 for an Ordinance entitled:

An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract for Membership and Services with Nodaway County Economic Development

At the October 24, 2011, City Council Meeting the City Council was presented a proposal to increase the financial support for Nodaway County Economic Development (NCED) by fifteen thousand dollars (\$15,000.00) for the coming year to assist NCED in withstanding the current services provided. A Council Bill was presented to formally request the increase of funds, from \$37,000 to \$52,000.

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 Fall, to approve the amount of financial support to fifty-two thousand dollars (\$52,000), for membership and support by NCED. 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. 7369 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, with the agreement noted as Contract No 2011-39.

REQUEST FOR QUALIFICATIONS FOR BROKER FOR EMPLOYEE INSURANCE

During the October 24, 2011, City Council Meeting, City staff was asked to submit a Request for Qualification to potential bidders for a broker to handle City Employee 's life, health and dental insurance and was asked to bring the submissions back to the City Council for review to the next Council meeting. Requests for Qualifications were received from five (5) brokerage firms, which included: Arnold Insurance, Bukaty Companies, CBIZ, Hays Companies, and Monica Patton Insurance. The City Council reviewed and discussed the submissions.

Motion was made by Councilman Jonagan, seconded by Councilman Fall, to retain Arnold Insurance as the broker for City Employee insurances. 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.

Councilman Jackson left the meeting at this point.

SOUTHDALE SUBDIVISION, PHASE III, INFRASTRUCTURE ACCEPTANCE, WARRANTY PERIOD

The City Clerk presented a bill, being Bill No. 2011'94 for an Ordinance entitled:

An Ordinance to Approve the Report of the Public Works Director to Accept for Public Use and Perpetual Maintenance by the City, the Sanitary Sewer, Public Water Lines, Improved Streets and All Improvements Related Thereto in Southdale Subdivision, Phase III

Dir., Public Works C.E. Goodall reported to the City Council that inspections of the streets, storm water inlets and basins, and water and sewer lines have been performed on the Southdale Subdivision, Phase III, and were recommended to be accepted, with a two (2) year warranty that would be set to expire on October 14, 2013.

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. 2011'94, to accept all infrastructures in the Southdale Subdivision, Phase III, with a two (2) year warranty period. Upon roll being called the vote was as follows: Councilman Fall, yea; Councilman Wake, yea, Councilman Jonagan, yea; Mayor Moss, yea. Motion carried.

Said bill was then numbered Ordinance No. 7370 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

ACCEPTANCE OF QUIT-CLAIM FOR GREENSPACE, SOUTHDALE SUBDIVISION, PH II AND III

The City Clerk presented a bill, being Bill No. 2011'95 for an Ordinance entitled:

An Ordinance to Accept a Quit Claim Deed from Gibson Family Partnership, LP, Ann Gibson Trustee of the Ann H. Gibson Revocable Trust, Owner of Southdale Subdivision, of Maryville, Missouri, to Remise, Release and Forever Quit Claim the Green Space, of Phases II and III, of Southdale Subdivision, Maryville, Missouri

The storm water basins in the Southdale Subdivision, Phases II and III was recommended for acceptance by the City of Maryville, from the Gibson Family Partnership, LP, following inspections and verification that all City requirements were met . A letter of credit was submitted by Mr. and Mrs. Gibson with

the expiration date of January 11, 2014.

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. 2011'95. Upon roll being called the vote was as follows: Councilman Wake, yea; Councilman Jonagan, yea; Councilman Fall, yea; Mayor Moss, yea. Motion carried.

Said bill was then numbered Ordinance No. 7371 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk

LOT SPLIT, LOTS 21 AND 22, SOUTHDALE SUBDIVISION, BY GIBSON FAMILY PARTNERSHIP

The City Clerk presented a bill, being Bill No. 2011'96 for a Resolution entitled:

A Resolution Authorizing the Lot Splits of Property Owned by Gibson Family Partnership, Located on Southdale Avenue, Lots 21 and 22, of the Southdale Subdivision, of the City of Maryville, Nodaway County, Missouri

A lot split was requested due to the incorrect installation of an electrical line between the lots along the common line. The change would increase the size of lot 22 and decrease lot 21. Both will still have adequate square footage for building.

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 Fall, to approve Council Bill No. 2011'96. Upon roll being called the vote was as follows: Councilman Jonagan, yea; Councilman Fall, yea; Councilman Wake, yea; Mayor Moss, yea. Motion carried.

Said bill was then numbered Resolution No. 584 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

MEMBERSHIP AND SUPPORT OF NORTHWEST REGIONAL COUNCIL OF GOVERNMENT

The City Clerk presented a bill, being Bill No. 2011'98 for an Ordinance entitled:

An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract for Membership and Services with Northwest Missouri Regional Council of Government

The Council was provided with information regarding an agreement proposed between the City and the Northwest Missouri Regional Council of Government, to pay a membership and services fee of four thousand, one hundred ninety dollars and twenty cents (\$4,190.20).

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. 2011'98. Upon roll being called the vote was as follows: Councilman Fall, yea; Councilman Wake, yea; Councilman Jonagan, yea; Mayor Moss, yea. Motion carried.

Said bill was then numbered Ordinance No. 7372 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, with the agreement being Contract No. 2011-40.

AMENDMENT NO. 1 OF CONTRACT WITH NEW NODAWAY HUMANE SOCIETY

The City Clerk presented a bill, being Bill No. 2011'99 for an Ordinance entitled:

An Ordinance to Approve Amendment No. 1, of Contract No. 2011-02, with the New

Nodaway Humane Society, for the Purpose of Providing Animal Control and Shelter Services to the City of Maryville, Missouri

In accordance with the 2011-12 budget approval, the contractual agreement amount was increased from \$4,400 to \$6,900 per month, to the New Nodaway Humane Society. Therefore a Council Bill was presented to amend Contract No. 2011-02, to reflect the increased 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 Jonagan, seconded by Councilman Fall, to approve Council Bill No. 2011'99. Upon roll being called the vote was as follows: Councilman Wake, yea; Councilman Jonagan, yea; Councilman Fall, yea; Mayor Moss, yea. Motion carried.

Said bill was then numbered Ordinance No. 7373 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

APPROVAL OF BENEFIT PROGRAM L-12, OF LAGERS, FOR FULLTIME EMPLOYEES

The City Clerk presented a bill, being Bill No. 2011'99 for an Ordinance entitled:

An Ordinance Approving Benefit Program L-12, of the Missouri Local Government Employee Retirement System for Full Time Employees of the City of Maryville, Missouri

During the 2011-12 Fiscal Budget approval process, the City Council approved an upgrade to the LAGERS retirement plan. The City would go from the current L-9 benefit program to the proposed L-12 program and the consecutive period for determining the monthly salary will be on a thirty six (36) month period. If approved, the new rate will begin on November 1, 2011.

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. 2011'100. Upon roll being called the vote was as follows: Councilman Wake, yea; Councilman Jonagan, yea; Councilman Fall, yea; Mayor Moss, yea. Motion carried.

Said bill was then numbered Ordinance No. 7374 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

QUOTES RECEIVED FOR AIRPORT SECURITY FENCING

The City Clerk presented a bill, being Bill No. 2011'101 for an Ordinance entitled:

An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with Superior Fencing for the Purpose of Providing and Installing Fence to Increase Security at the Northwest Missouri Regional Airport, Maryville, Missouri

Quotes were received from three (3) contractors to provide and install fencing to increase the security at the Northwest Missouri Regional Airport. Those who provided a quote for the project were as follows: Superior Fencing (\$6,580.00), Workman Fence (\$8,990.00), and Benny Sisk (\$7,451.00). Superior Fencing was recommended to be selected for the project.

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 2011'101, entering into an agreement with Superior Fencing to provide fencing at the Northwest Missouri Airport. Upon roll being called the vote was as follows: Councilman Jonagan, yea; Councilman Fall, yea; Councilman Wake, yea; Mayor Moss, yea. Motion carried.

Said bill was then numbered Ordinance No. 7375 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, with the agreement as Contract No. 2011-41.

PROBABLE CAUSE TO HOLD HEARING FOR QUICK ZONE, 620 NORTH MAIN

Dir., Public Safety Wood requested City Council Members to consider the need to hold a hearing to consider the revocation and /or suspension of Quick Zone, 620 North Main Street.

Motion was made by Councilman Jonagan, seconded by Councilman Fall, to approve Council Bill 2011'101, entering into an agreement with Superior Fencing to provide fencing at the Northwest Missouri Airport. Upon roll being called the vote was as follows: Councilman Fall, yea; Councilman Wake, yea; Councilman Jonagan, yea; Mayor Moss, yea. Motion carried.

Motion was made by Councilman Wake, seconded by Councilman Jonagan, to hold said hearing at 5:30 p.m., on Monday, November 14, 2011, at City Hall, Council Chambers, 415 North Market Street and will be followed by the regularly scheduled City Council Meeting at 7:00 p.m. Upon roll being called, the vote was as follows: Councilman Fall, yea; Councilman Wake, yea; Councilman Jonagan, yea; Mayor Moss, yea. Motion carried.

MOZINGO BOARD REQUESTS RECOGNITION OF DAVID MIDDLETON UPON RETIREMENT

Ed Higdon, Chairman, on behalf of the Mozingo Advisory Board, requested the City consider some type of honorarium at Mozingo Lake Park at the retirement of David Middleton, Mozingo Lake Park Superintendent. Mr. Higdon stated that with Mr. Middleton's thirty plus years of service to the city and the role he played in the development of Mozingo Lake Park. They suggested it would be fitting to honor him in some way for his dedication and hard work.

The Council Members requested that the Mozingo Advisory Board provide the Council with suggestions to consider at the November 14, 2011 City Council meeting.

REPORTS

I. NWMSU Liaison

- Collin DeBuysere, Liaison to the Council, provided a copy of a draft survey for Northwest Missouri State University students to gage student perspective of the Maryville community and requested feedback from Council and Staff on the content of the survey. Positive comments were generated.

City Manager

- The City has implemented a "Boil Advisory" to begin Wednesday, October 26, 2011, at 7:30 a.m., due to work done at the Water Treatment Facility. It was estimated that the boil advisory would be lifted Friday, October 28, 2011.

II. Council Members

- Mayor Moss stated that he will leaving town beginning October 25, and will return November 1.

ADJOURNMENT

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

Shawn Wake, Mayor Pro-Tem

ATTEST:

Sheila Smail, City Clerk