

**Maryville City Council**  
**Regularly Scheduled Meeting**  
**February 13, 2012**  
**7:00 p.m.**

The Council of the City of Maryville, Missouri, met in regular session on Monday, February 13, 2012, 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 roll was called by the City Clerk, with the following present to-wit: Mayor Ronnie Moss, Council Members Chad Jackson, Glenn Jonagan and James Fall. Councilman Shawn Wake arrived at 7: 03p.m. Others present were Interim City Manager Keith Wood; City Attorney Doug Thomson; Dir., Finance Denise Town; Dir., Human Resource Manager Amy Strough; Student 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 AGENDA**

Mayor Moss asked if there were any changes to be made to the agenda, they be noted at this time. The item listed as an executive session was requested to be moved to open session and inserted as 14. Discussion: Appointment of Judge Pro-Tem. Motion was made by Councilman Fall, 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.

**APPROVAL OF MINUTES**

Mayor Moss requested any changes needed to the minutes of Council Meetings held January 9 and 23, 2012, to be noted at this time.

Motion was made by Councilman Jonagan, seconded by Councilman Fall that the minutes 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, 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 on the agenda. Any persons wishing to speak were requested to come forward and state their name and address for the record.

James Runde, 36551 State Hwy M, Guilford, MO 64457, Special Olympics Events Coordinator, stated that a Special Olympics Torch Ride event has been scheduled for May 19, 2012, and plan to make a stop at Mozingo Lake Park. Mr. Runde requested that the City waive the fee for the use of the Phillips Shelter, for a fund raiser for Special Olympics.

Council Members questioned what practices have taken place in the past. Mayor Moss asked that research be done and the request be brought back to the Council at the February 27, 2012 meeting to make a decision.

**REQUEST TO TRAP MUSKRATS AND BEAVERS AT MOZINGO LAKE**

Mr. Ryan Twellmann, a conservation student at Northwest Missouri State University, requested permission from the Council to trap muskrats and beavers at Mozingo Lake. Receiving permission from the previous Mozingo Maintenance Superintendent, Mr. Twellmann, has been trapping at Mozingo Lake in the past.

Grant Evans, Mozingo Maintenance Superintendent, stated that there is an erosion problem at Mozingo which is attributed to the over population of muskrats and beavers. The muskrat season ends February 20 and the beaver season ends a month later. Mozingo Golf Maintenance personnel have been trapping as well. They have experienced damage to the golf course caused by muskrats and beavers.

Council suggested that staff manage the needs and requests for trapping muskrats and beavers at Mozingo Lake Park and Golf Course. Grant Evans suggested that the approved trappers be required to report back to the

City the numbers of animals trapped. An amendment to the current ordinance will be presented to the Council at a future meeting, to permit staff to regulate the need for trapping muskrat and beavers at Mozingo Lake Park and Golf Course.

**TREASURER’S REPORT**

Dir., Finance Denise Town reported that the City received non-reoccurring revenue from the Pub as insurance proceeds deposit from the collapse of a portion of the establishment (\$37,500.00); The Bookstop following the damage to that structure after a fire (\$34,975.00; and Build America Bonds interest subsidy (\$21,109.04).

Non-reoccurring bills to be paid included payment to Walker Body Shop for hail damage repairs to two patrol cars (\$13,096.40); Consumer Oil for eight thousand (8,000) gallon of gasoline and eight thousand (8,000) gallon of diesel, prepaid (\$48,064.00); Robert’s Roofing for Mozingo Clubhouse storm damage repairs (\$30,241.00); The Pub was reimbursed for the insurance deposit (\$37,500.00); Kam Wong for reimbursement of insurance deposit (\$85,073.79); Tri-State Ford for the purchase of a 2001 Ford F150 pickup for Mozingo Park Maintenance (\$13,999.50); and Diamond International for a 2012 dump truck for the Street Department (\$93,307.00).

Motion was made by Councilman Jackson, seconded by Councilman Wake to approve the Treasurer’s Report as presented. 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.

**PAYMENT VENDOR SCHEDULE**

Motion was made by Councilman Wake, seconded by Councilman Jackson to approve the Treasurer’s Report as presented. Upon the 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.

**TOWN AND GOWN INVOICE**

The Town and Gown Association invoice was brought up for discussion and consideration as to whether or not the \$600.00 membership fee should be renewed for the current year. It was debated whether or not the City gained from the membership.

The Council was reminded that was where the idea of having a Student Liaison to the City Council was born. E-mails have been dispersed for the association covering issues that concern municipalities that have higher education facilities.

It was suggested that information provided by RDG Planning and Design, be reviewed to see if issues are being covered through the Comprehensive Plan development, as well as research through the Town and Gown Association. The Town and Gown Invoice will be brought back for review at the February 27, 2012, City Council meeting.

**WASTEWATER TREATMENT PROCESS SELECTION – HDR ENGINEERING**

Mike Kalis, HDR Engineering, presented to the Maryville City Council four (4) options to consider and cost estimates for the upgrades for the wastewater treatment facility, which will meet requirements mandated by the environmental Protection Agency (EPA) and the Missouri Department of Natural Resources (MDNR).

The site location options were discussed. It was recommended that the location site be the Northwest site, which included land acquisition of eight (8) acres.

The method of processing was recommended to be the Conventional Activated Sludge System method. HDR Engineering and City Staff have conversed with MDNR regarding the proposed method. The City needs to continue moving forward to stay within the timeline requirements set by MDNR.

Motion was made by Councilman Jonagan, seconded by Councilman Wake, that the City of Maryville select Option No. 2: Conventional Activated Sludge System as the method in which to upgrade the Maryville Wastewater Facility Plant to meet requirements set forth by the Environmental Protection Agency (EPA) and the Missouri Department of Natural Resources (MDNR). 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.

**PLUVIUS AGREEMENT STATUS, LEASING OF MARYVILLE TRANSFER STATION**

Staff requested record of status of contract with Pluvius, regarding the leasing of the Maryville Transfer Station. It was noted that the contract timeframe had lapsed with no intent of future leasing of the Maryville Transfer Station by Pluvius.

**APPOINTMENT OF JUDGE PRO-TEM FOR MUNICIPAL COURT**

The Human Resource Manager and City Attorney submitted Request for Qualifications and brought the results back to the council.

City Attorney Doug Thomson suggested that an ordinance will need to be adopted to enable the City Council to make the appointment. It was recommended that the City go through a Request for Qualification process to assure that all qualified persons were given the opportunity to submit their letter of interest for the position.

**ORDINANCE APPROVING PARTICIPATION IN THE 2012 SHOW-ME GREEN SALES TAX EVENT**

The City Clerk presented a bill, being Bill No. 2012'11 for an ordinance entitled:

**An Ordinance Allowing the “2012 Show Me Green Sales Tax Holiday” to Apply to the Local Sales Taxes of the City of Maryville, Missouri, Between April 19 and April 25, 2012**

During the January 9, 2012, City Council Meeting, Council Members asked to consider the City’s participation in the 2012 Show Me Green Sales Tax Holiday, scheduled to occur April 19-25, 2012. By participating in the event, consumers can purchase qualifying Energy-Star appliances without paying State and City sales tax, when purchased inside the Maryville city limits. The ordinance presented is required to be approved and an executed copy submitted to the Missouri Department of Revenue to verify the city’s intent to participate.

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. 2012'11, to approve the City’s participation in the 2012 Show-Me Green Sales Tax Holiday. 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. 7395 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**AMEND SECTION 355.100, SUBSECTION 9(b), PARKING PROHIBITED, 300 BLK, N. BUCHANAN**

The City Clerk presented a bill, being Bill No. 2012'12 for an Ordinance entitled:

**An Ordinance to Amend Section 355.100: Parking Prohibited-Certain Blocks, Subsection 9. (d), of Title III. Traffic Codes, Chapter 355: Parking Prohibitions, of the Maryville Municipal Code, Maryville, Missouri**

Nodaway Valley Bank razed structures west of the main bank, and constructed a new drive-up bank facility and a parking lot, in the area. With an exit onto North Buchanan Street, it was realized that there was a potential for traffic site impairment if the street side parking on the east side of the 300 block of North Buchanan Street was to remain. Therefore, an ordinance was proposed to eliminate parking in this location.

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 Jackson, to approve Council Bill No.

2012'22, to prohibit parking in the 300 block, of North Buchanan Street, on the east side. 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. 7396 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**REPEAL AND ADOPT NEW SECTION 212.220: MOZINGO FEE STRUCTURE, CAMPING FEES**

The City Clerk presented a bill, being Bill No. 2012'13 for an Ordinance entitled:

**An Ordinance to Repeal Section 212.220: Mozingo Fee Structure-Camping, Boating, Cabin Rental, Subsection A. RV Camp Fee, of Title II. Public Health, Safety, and Welfare, Chapter 212: Mozingo Park Regulations, Article I. Regulations—Generally, of the Maryville Municipal Code, Maryville, Missouri**

The Mozingo Advisory Board made a recommendation to the City Council to raise the RV Camping Fees during peak season from fifteen dollars (\$15) per day/night to twenty dollars (\$20) per/day/night, and during off-season raise fees from thirteen dollars (\$13) to eighteen dollars (\$18). Primitive Camping fees were recommended to be increased from six dollar (\$6) to ten dollars (\$10) for the peak season and from five dollars (\$5) to nine dollars (\$9) during off-season. It was also recommend that peak season dates change from April 1 – September 30 to April 1 – October 31, of each year. These changes were recommended to begin April 1, 2012.

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. 2012'13. 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. 7397 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**AMEND SECTION 355.107: NO PARKING ZONES, ON WEST THIRD STREET, EAST OF MUNN ST.**

The City Clerk presented a bill, being Bill No. 2012'14 for an Ordinance entitled:

**An Ordinance to Amend Section 355.107: No Parking, of Title III. Traffic Codes, Chapter 355: Parking Prohibitions, of the Maryville Municipal Code, Maryville, Missouri**

Residents Ron and Diane Brown, who live at 725 W. 3<sup>rd</sup> Street, at the corner of West 3<sup>rd</sup> Street and North Munn Street, have reported many times that cars try to make what is one parking space into two (2) spaces on the west side of their drive, blocking a portion if not all of their drive at times. Ticketing cars has not stopped this from occurring. After several communications with the Browns, a proposal was made to the City Council to change the location of the “NO Parking” sign approximately six feet (6 ft.) to the east, which will keep the sign on the west side of their drive and make the space for parking just one space.

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. 2012'14. 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. 7398 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**REPORTS**

**I. Liaison to Council**

- Student Liaison to the City Council, Collin DeBuyeser spoke of a need for Northwest Students to have a listing of housing available for rent, but expressed his concern with the ability to sustain the list. He informed that KNIM Radio was looking to update their website. He was scheduled to meet with KNIM the following day to discuss the possibility of the radio station and local realtors working together to keep the information updated.

Mr. DeBuyeser report that he had been in contact with Lee Langerock regarding another item on the Northwest survey that students would like to see, being twenty-four (24) hour dining. They are planning to speak with the Leadership Council on campus in the near future.

**II. Interim City Manager**

- IDM is interested in coming back to make a presentation of the findings of the Feasibility Study. The Mozingo Advisory Board is interested in meeting with IDM also. The Council suggested that a meeting be scheduled with the Mozingo Advisory Board and Council Members will attend if possible.
- The Comprehensive Plan meeting with RDG that was scheduled for February 16, 2012, has been postponed until March 22, 2012. The Committee will meet with RDG, at 5:00 p.m., followed by a presentation at 7:00 p.m., for the general public.

**III. City Council**

- Councilman Jackson stated that he had attended a luncheon at Northwest Missouri State University, with the accreditation department who spoke highly of Collin DeBuyeser and his collaborative efforts between the City and NWMSU.
- Mr. Brock Pfof was invited by Councilman Jonagan to discuss the proposed redevelopment of the downtown area and that there are investors interested in the plan. RDG Planning and Design provided proposals for the downtown. He stated that there are several developers and investors who are interested in being a part of this proposal. He asked that the City consider their involvement in the proposal. It was suggested that a property owners meeting to discuss options. RDG Planning and Design, provide a general cost estimate. Lee Langerock also spoke of the proposed development from the economic development perspective. A suggestion was made that a committee be formed to keep discussions moving along. Councilmen Jackson and Fall, agreed to organize a committee for this purpose.
- It was suggested the City support the housing rental listing for Northwest Students and sponsor by purchasing thirty (30), thirty (30) seconds advertisements a month for \$399.00 per month. It was suggested to be a good time to report on positive accomplishments or points of the City.

The Council Liaison was asked to report back after his meeting with KNIM and was also asked to check with NWMSU about their involvement with the upkeep of the available housing list for the students.

**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.

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Ronnie L. Moss, Mayor

ATTEST:

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Sheila Smail, City Clerk