

Maryville City Council
Regular Scheduled Meeting
April 23, 2012

5:30 p.m.

Prior to the regularly scheduled City Council Meeting, Council Members Jackson, Funston, and Fall, Mayor Jonagan, City Manager McDanel and City Clerk Smail gathered for a presentation by Gary Markensen, former director of Missouri Municipal League (MML), to provide a municipal management and official training session.

Topics discussed included powers and duties of the Governing Body, rules of order, ordinances vs. resolutions, open meeting and records law, conflicts of interest, and the Hancock Amendment.

7:00 p.m.

The Council of the City of Maryville, Missouri, met in regular session on Monday, April 23, 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 Jonagan and the roll was called by the City Clerk, with the following present to-wit: Mayor Jonagan, Council Members Ronnie Moss, James Fall, Chad Jackson and Shawn Wake. Others present were City Manager Greg McDanel; Dir., Finance Denise Town; Dir. Public Works C.E. Goodall, Dir., Public Safety Keith Wood; Human Resource Manager Amy Strough; Council Liaison Collin DeBuysere and City Clerk Sheila Smail.

PLEDGE TO THE FLAG

Mayor Jonagan led the pledge to the flag.

INVOCATION

Jonathan Mitchell, First Presbyterian Church, gave the invocation.

APPROVAL OF THE AGENDA

Mayor Jonagan requested any changes needed to the agenda, be noted at this time. No changes were noted.

Motion was made by Councilman Jackson, seconded by Councilman Funston, that the agenda be approved as presented. Upon roll being called, the vote was as follows: Councilman Jackson, yea; Councilman Funston, yea; Councilman Moss, yea; Councilman Fall, yea; Mayor Jonagan, yea. Motion carried.

CITIZENS TO BE HEARD

Mayor Jonagan 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 TO HOLD NODAWAY COUNTY FAIR IN DOWNTOWN

Rex Wallace, Nodaway County Fair Board Member, was present to make a request to the City Council to allow the Nodaway County Fair to be held around the Courthouse square. A map was provided to depict the streets that would be closed down from Tuesday, July 17, thru Saturday, July 21, 2012.

Mr. Wallace requested that the City share in the cost of liability insurance for the event. For the Nodaway County Fair of 2011, the City contributed \$1,500.00 toward the cause.

Motion was made by Councilman Jackson, seconded by Councilman Funston, to approve the request to hold the Nodaway County Fair around the Courthouse square, closing down said streets from 5:00 p.m., on Tuesday, July 17 until Sunday, July 21, 2012 at midnight and that the City contribute the budgeted amount for the liability insurance for the Nodaway County Fair. Upon roll being called, the vote was as follows: Councilman Funston, yea; Councilman Moss, yea; Councilman Fall, yea; Councilman Jackson, yea; Mayor Jonagan, yea. Motion carried.

CHANGE ORDER NO. 1, CONTRACT WITH WHITE CLOUD ENG., MOZINGO SANITARY SEWER

Councilman Funston asked permission of the Mayor to recuse himself from the discussion of this item, because he felt there could be a conflict of interest, since he is an employee of the White Cloud Engineering and Construction Company. Councilman Funston then excused himself from the Council Chambers during discussions and vote of the subject.

The City Clerk presented a bill, Bill No. 2012'30 for an ordinance entitled:

An Ordinance Approving Change Order No. 1, of a Contract with White Cloud Engineering and Construction Company, Inc., for the Purpose Providing Design Build Services of the Sanitary Sewer System at the Mozingo Equestrian Trail Bathhouse, on the West Side of Mozingo Lake , Maryville, Missouri

A request for Change Order No. 1 was proposed to move the drip irrigation system location from the top of the hill, west of bathhouse, to northeast of the bathhouse, to add treatment capacity, pump sizing, and another 1700 sq. ft. of absorption mound and to expand needs for equalization, storage and dumping capacity during peak use times with a 3000 gallon dump station, concrete pad and piping connection adjacent to the road, and a small pump/control.

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 Moss, seconded by Councilman Fall, to approve Council Bill No. 2012'30, to approve Change Order No. 1, of Contract No 2012-01, to amend the original plans for the sanitary sewer system at the Mozingo equestrian trails bathhouse. Upon roll being called the

vote was as follows: Councilman Fall, yea; Councilman Jackson, yea; Councilman Funston, abstained; Councilman Moss, yea; Mayor Jonagan, yea. Motion carried.

Said bill was then numbered Ordinance No. 7410 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. 2012-01.

REPEAL/ADOPT NEW, SECTION 220.150: USER FEES OF THE MARYVILLE MUNICIPAL CODE

The City Clerk presented a bill, Bill No. 2012'31 for an ordinance entitled:

An Ordinance to repeal Section 220.150: User Fees, Subsection (A), Solid Waste--Normal, of Title II. Public Health Safety and Welfare, Chapter 220: Solid Waste, Recyclables and Compost Materials, of the Municipal Code of the City of Maryville, Missouri and to Adopt a New Section 220.150: User Fees; Subsection (A), Solid Waste--Normal, Pertaining to the Same Subject

Section 220.150 was presented with proposed changes of eliminating the sliding scale fee and to increase the fee per ton to fifty-four dollars (\$54.00). The proposed fee structure is anticipated to generate an additional \$30,000 in revenue throughout the remainder of FY 2012. The financial impact of the fee adjustment will depend upon the solid waste tonnage disposed of at the transfer station.

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 Council Bill No. 2012'31, to repeal and adopt a new Section 220.150: User Fees, of the Maryville Municipal Code. Upon roll being called the vote was as follows: Councilman Fall, yea; Councilman Jackson, yea; Councilman Funston, yea; Councilman Moss, yea; Mayor Jonagan, yea. Motion carried.

Said bill was then numbered Ordinance No. 7411 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

ACCEPTANCE OF DEED FOR CERTAIN TRACTS OF LAND, SOUTH HESTER STREET

The City Clerk presented a bill, Bill No. 2012'32 for an ordinance entitled:

An Ordinance Authorizing Acceptance of a Deed for Certain Tracts of Land and Dedicating Said Tracts for Public Right-of-Way Purposes to be Known as South Hester Street, Maryville, Missouri

The City has been working with Polk Township and Nodaway County since 2007 for consideration of accepting South Hester Street into the inventory of city public right-of-way. The City has verified that the street is up to code specifications and Midland Surveying completed a Plat

of Survey, formally describing the area. On December 14, 2011, Nodaway County executed and recorded a General Warranty Deed to the City of Maryville describing the real estate. The proposed ordinance authorizes the acceptance of the real estate described in the General Warranty Deed and dedicates it for public right-of-way purposes, known as South Hester Street. The process of annexation will follow the acceptance.

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 Council Bill No. 2012'32. Upon roll being called the vote was as follows: Councilman Jackson, yea; Councilman Funston, yea; Councilman Moss, yea; Councilman Fall, yea; Mayor Jonagan, yea. Motion carried.

Said bill was then numbered Ordinance No. 7412 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

ACCEPTANCE OF PETITION TO ANNEX PROPERTY, SOUTH HESTER STREET RIGHT-OF-WAY

The City Clerk presented a bill, Bill No. 2012'33 for an ordinance entitled:

An Ordinance to Acknowledge the Presentation of a Petition at Annex Certain Real Estate, Owned by the City of Maryville, Missouri, Scheduling a Public Hearing on Said Petition, and Directing That Notice of Said Hearing be Published in the Maryville Daily Forum

Staff made a recommendation to the Council to accept the petition for annexation property owned by the City of Maryville, commonly known as South Hester Street. Upon approval of the ordinance, a public hearing will be scheduled for the May 14, 2012, City Council meeting.

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 Funston, to approve Council Bill No. 2012'33. Upon roll being called the vote was as follows: Councilman Funston, yea; Councilman Moss, yea; Councilman Fall, yea; Councilman Jackson, yea; Mayor Jonagan, yea. Motion carried.

Said bill was then numbered Ordinance No. 7413 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

CONTRACT WITH M^cCORMICK CONSTRUCTION, REPLACEMENT OF SIDING AT CLUBHOUSE

The City Clerk presented Council Bill No. 2012'34 for an ordinance entitled:

An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with M^cCormick Construction for the Purpose of Replacing and Installing New Siding on the Mozingo Golf Clubhouse, Mozingo Lake Park, Maryville, Missouri

Due to the hailstorm that struck on August 18, 2011, the siding was damaged on the Mozingo Golf Clubhouse. March 20, 2012, bids were opened for the replacement of the siding, with seven (7) submissions received. McCormick Construction submitted the lowest bid at eleven thousand, one hundred, ten dollars (\$11,110.00). Staff recommended that the contract be awarded to McCormick.

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 Funston, seconded by Councilman Moss, to approve Council Bill No. 2012'34, to award a contract to McCormick Construction for the removal and installation of new siding on the Mozingo Golf Clubhouse. Upon roll being called the vote was as follows: Councilman Moss, yea; Councilman Fall, yea; Councilman Jackson, yea; Councilman Funston, yea; Mayor Jonagan, yea. Motion carried.

Said bill was then numbered Ordinance No. 7414 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, with the agreement being identified as Contract No. 2012-20.

REPORTS

I. NWMSU Liaison

- Collin DeBuysere presented to the Council a recommended replacement as the Northwest Missouri State University (NWMSU) Liaison to the City Council. Cody Hughing will be a sophomore in the fall of 2012 and will hold the position of Sophomore Class Representative and Organizational Affairs Co-chair, at NWMSU. Mr. DeBuysere and the Senate President interviewed Mr. Hughing and affirmed their recommendation with Dr. Matt Baker. Cody Hughing was recommended for the position of liaison to the City Council. Mr. Hughing will begin in August. He will not be here to attend meeting during the summer months but nevertheless will be informed of the issues discussed.

Motion was made by Councilman Jackson, seconded by Councilman Fall, to approve Cody Hughing as the new Student Liaison to the City Council. Upon roll being called, the vote was as follows: Councilman Fall, yea; Councilman Jackson, yea; Councilman Funston, yea; Councilman Moss, yea; Mayor Jonagan, yea. Motion carried.

II. City Manager

- City Manager McDanel stated that there would be a Comprehensive Plan meeting on Wednesday, April 25, at 12:00 noon and again at 5:00 p.m., at City Hall, to address zoning issues. A Planning and Zoning Commission meeting will follow on May 9, 2012, at 5:30 p.m., to discuss the concerns and other issues regarding the zoning issues proposed by RDG Planning and Design. A recommendation will be forwarded to the City Council.
- Mr. Tom Hooker, owner of the group of seven (7) houses that are scheduled to be torn down, has begun the process, by taking down the house at 824 North Main Street. Project is scheduled to be completed by July 10, 2012.
- Eighty-eight thousand dollars (\$88,000) has been received thru the HERO Program to assist home owners, who financially qualify, to make improvements to their owner occupied homes. A homeowner can receive up to twenty thousand dollars (\$20,000). A meeting is scheduled for May 3, 2012, at City Hall, to inform potential recipients of the process and requirements of the program.
- A proclamation and tree planting ceremony will held for the Annual National Crimes Victims Week celebration, on Wednesday, April 11, 2012, at 10:00 a.m. at the Kiwanis Shelter at Mozingo Lake Park. The event will be sponsored by the Maryville Treatment Center and the local Board of Probation and Parole.
- The City has received four (4) proposals for the design of the Gateway Signs at the entrance of Maryville. After review, a recommendation will be presented to the City Council.
- The search for hiring an Assistant City Manager has begun. Applications will be accepted until May 18, 2012, at 5:00 p.m.
- It was determined that the second meeting in May would be postponed until May 30, because of Memorial Day being on May 28, which is the date of the next regularly scheduled meeting.

II. Council Members

- Councilman Jackson reported on the Nodaway County Economic Development meeting, strategic Planning
- Councilman Fall reported that the Mozingo Advisory Board has recognized the docks are in rough condition in the high use area. It was noted that the dock located at the City boat ramp was in better condition and recommended that the other docks be replaced with docks made of the same materials. An upgrade of fifty (50) amp service is recommended for the RV sites in the original area. The camp host has been hired and is on location. A Request for Proposal for hard surfacing the road to the Family Cabins will be let soon.
- Mayor Jonagan requested that Council Members revisit the various commissions that are represented by a Council Member, to insure representation by the City. It was determined as follows:

Nodaway County Economic Development (NCED)

Councilman Jackson

University Community Collaboration (UCC)
Transportation Advisory Commission (TAC)
Mozingo Advisory Board
Task Force
NWMO Regional Council of Government
County Government
Trails Board
Airport Board

Councilman Jackson
Councilman Fall
Councilman Funston
Councilman Fall
(Pending)
Councilman Moss
(City Manager will extend invite)
(City Manager will extend invite)

ADJOURNMENT

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

Glenn Jonagan, Mayor

ATTEST:

Sheila Smail, City Clerk