

**Maryville City Council  
Regular Scheduled Meeting  
January 28, 2013  
7:00 p.m.**

The Council of the City of Maryville, Missouri, met in regular session on Monday, January 28, 2013, at City Hall, 415 North Market Street, in said City at 7:00 p.m.

**PUBLIC HEARING**

Mayor Jonagan opened a public hearing to hear from those present regarding the proposed MaryMart Corporation Community Improvement District, to be considered for approval by the Maryville City Council, later in the evening.

Owners of the MaryMart Corporation, Lou and Mark Watkins, had enlisted Brandon Harverty, Red Legacy, a Kansas City, Broker, to assist in re-developing, including negotiations and recruitment of national named tenants. Currently the MaryMart Corporation shopping center is fifty-seven percent (57%) vacant.

MaryMart Corporation made a request for a Community Improvement District (CID) to be formed to assist in the revitalization of the shopping center. A CID Petition was filed with the City Clerk on January 14, 2013 with a request from the property owner for a public hearing and consideration of passage by the Maryville City Council of the Ordinance forming the CID on January 28, 2013.

Curt Peterson, Polinelli Shughart, was hired by MaryMart Corporation as a developer to assist in the process of developing the Community Improvement District (CID). The requested CID would bridge the financial gap between the need to bring the retail stores up to date and entering into a contract with a retailer. A proposed one percent (1%) CID sales tax would be imposed and collected on all retail stores within the developers designated property complex. Revenue realized through the CID will go toward paying back the one and one-half million dollars (\$1,500,000), over a thirty (30) year period. The City of Maryville has no financial obligation for this project.

Representatives of Warehouse Exchange, Brown's Shoe Fit, Get Fit 24, Joy Wok Buffet and Beach Tanning, already established businesses in the MaryMart shopping center, were present to learn more about the effect the proposed CID tax would have on their businesses.

By statute the City Council makes the determination of whether the proposed activity has the capacity to remove blight. In the instance of a CID, this includes economic blight as defined by State Statute.

The Dollar Tree and Rue 21 stores were identified as business who have committed to establishing a store in the MaryMart Corporation Shopping Center. Other unrevealed national retailers were identified as being interested in entering into a contract with the MaryMart Corporation to occupy the remaining vacancies, if the Community Improvement District was approved and upgraded.

With no further discussion, the public hearing was then closed by Mayor Jonagan.

**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 Renee Riedel and Jeff Funston. Others present were City Manager Greg McDanel; Asst., City Manager Ryan Heiland, City Attorney Doug Thomson; Dir., Public Safety Keith Wood; Dir., Finance Denise Town; Student Senate/Council Liaison Cody Uhing and City Clerk Sheila Smail.

**PLEDGE TO THE FLAG**

Mayor Jonagan led the pledge to the flag.

**INVOCATION**

Councilman Funston 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 Fall, seconded by Councilman Funston, that the agenda be approved as presented. Upon roll being called, the vote was as follows: Councilwoman Riedel, 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.

**ORDINANCE APPROVING A PETITION TO ESTABLISH THE MARY MART COMMUNITY IMPROVEMENT DISTRICT**

The City Clerk presented a bill, Bill No. 2013’04 for an ordinance entitled:

**An Ordinance Approving a Petition to Establish the Mary Mart Community Improvement District**

City Attorney Thomson reviewed the petition submitted by the MaryMart Corporation requesting to enter into a Community Improvement District (CID) and verified that the petition met all requirements set by Missouri State Statute, Section 67.1421.2(3). It was reiterated that the City does not take on any financial obligation by approving the proposed ordinance to declare the MaryMart shopping center complex as a blighted area. Upon approval of the MaryMart Corporation CID, a one percent (1%) sales tax will be added to each sale for a period of thirty (30) year, to payback a one and one half million dollar loan realized by the MaryMart Corporation.

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 Councilwoman Riedel, seconded by Councilman Moss, that Council Bill 2013’04, be approved. Upon roll being called, the vote was as follows: Councilman Funston, yea; Councilman Moss, yea; Councilman Fall, yea; Councilwoman Riedel, yea; Mayor Jonagan, yea. Motion carried.

**CONTRACT FOR CONSTRUCTION OF SOUTH MUNN AVENUE IMPROVEMENT PROJECT**

The City Clerk presented a bill, Bill No. 2013’05 for an ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract with \_\_\_\_\_ for the Purpose of Construction of the Munn Avenue Street Improvement Project, Maryville, Missouri**

The Munn Avenue Street Improvement Project, from South Avenue to Highway V, includes the construction of approximately 3,800 linear feet of new concrete roadway, an enclosed storm sewer system, relocation of portions of the existing waterline, new curb and gutter, painted bike lanes on pavement, and new concrete drive approaches throughout the corridor. The project also includes an alternate proposal for an eight (8) foot concrete pedestrian trail separated from the roadway surface. The reconstruction of this section of Munn Avenue was identified as a top priority in the Capital Improvements Plan due to the existing condition of the road, volume of traffic, and visibility as a gateway in the community due to the location of the Maryville High School along the corridor.

Construction is scheduled to begin March 2013 and complete in October 2013, with three phases. Phase 1 will begin at West South Avenue, going south to school property, beginning March 15, 2013, being completed by May 15, 2013. Phase 2 includes roadway in front of the school property, beginning May 15, 2013 and being completed by August 15, 2013. The final phase, Phase 3, South of school property to Highway V, is scheduled to begin August 15, and be completed by October 15, 2013.

Construction bids were opened on January 16, 2013, and were received as follows:

<b>Contractor</b>	<b>Base Bid</b>	<b>Alternate Bid</b>	<b>Total</b>
Orr Construction Management	\$2,036,322.15	\$85,653.30	\$2,121,975.15
Loch Sand & Construction	\$2,105,137.24	\$96,192.00	\$2,201,329.24
M&M Utilities	\$2,191,596.25	\$109,950.00	\$2,301,548.35

The project will be financed through the issuance of Certificates of Participation (COPs) which will be paid back with current and future years Capital Improvement Sales Tax revenue. The engineer’s estimate for the base

bid is \$2,030,128.65 and \$125,367.00 for bid alternate #1, making a total of \$2,155,495.60. The Municipal Code of Maryville contains a local purchasing preference policy; however local firm Loch Sand & Construction Company did not fall within an acceptable range.

John Chamberlin, SK Design Group, Engineer Company for this project was present to answer any questions the council had on the project. SK Design Group performed a background check on the lowest bidder, Orr Construction Management, to verify their ability to complete the project efficiently and effectively. SK reported that Orr Construction Management had performed comparable projects to the Munn Avenue Street Improvement Project and are thought to possess the ability and equipment necessary to perform 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.

Following much discussion, motion was made by Councilman Funston to table the issue until the next meeting to allow time to do additional research on Orr Construction Management. There was not a second to the motion, causing the motion to fail.

Motion was then made by Councilman Fall, seconded by Councilwoman Riedel, to enter into a contract with Orr Construction Management, in the amount of \$2,121,975.00, for the construction of the South Munn Avenue Street Improvement Project. Upon roll being called the vote was as follows: Councilwoman Riedel, yea; Councilman Funston, nay; Councilman Moss, yea; Councilman Fall, yea; Mayor Jonagan, yea. Motion carried.

Motion was made by Councilwoman Riedel, seconded by Councilman Moss, that Council Bill 2013'05 be approved. Upon roll being called, the vote was as follows: Councilman Funston, nay; Councilman Moss, yea; Councilman Fall, yea; Councilwoman Riedel, yea; Mayor Jonagan, yea. Motion carried.

## **MOZINGO REBRANDING PRESENTATION AND DISCUSSION**

Asst., City Manager Ryan Heiland gave a PowerPoint presentation of the journey the City has been on regarding the development and restructuring of the Mozingo Park and Golf areas. In April of 2011, the City of Maryville commissioned IDM Group, LLC to perform a Hotel Market Analysis and Project Feasibility study for Mozingo Lake Park and Golf Course. The final results of this study were presented to City Council in February, 2012, at which time it was recommended to rebrand the existing offerings at the city facility and develop a cohesive marketing effort and rebranding initiative.

As a result of the IDM study, City staff began analyzing efforts to rebrand Mozingo Lake Recreation Park as a single unit. In the fall of 2012, the City was presented an opportunity to partner with the Advanced Advertising Strategies class at Northwest Missouri State University (NWMSU). The class project for the fall 2012 semester was to present rebranding concepts including the creation of a cohesive marketing program. Upon review of the information provided by the NWMSU class, it is suggested to build upon the positive aspects of the two (2) student marketing campaigns and create a "hybrid" logo and marketing campaign.

The proposed logo was presented with the variations available to identify the various park areas. City Council Members were presented a coffee cup styling the proposed new logo for Mozingo Lake Recreational Park. With approval of a new logo, it will be necessary to begin the process of replacing existing items with the current logo(s). These items may include, but are not limited to; scorecards, hole flags, pamphlets, brochures, directional signage, marketing booths, and other park related graphics. The FY 2013 budget includes \$35,000 for rebranding efforts, which includes additional advertising, grand reopening expenses, and logo replacement items.

The proposed logo and marketing plan were presented to the Mozingo Advisory Board at the February 21, 2013, meeting. The Advisory Board recommended unanimous approval of the proposed logo and marketing plan.

## REPORTS

### I. NWMSU Liaison

- The Student Senate is preparing to schedule a date for a Student Forum to hold discussion regarding the “19 vs. 21 year olds in Bars” issue. Council Members and staff will be notified of the date and time.

### II. City Manager

- *Joint Planning Taskforce* – A meeting of the Joint Planning Taskforce was held January 21, 2013, at 7:00 p.m. facilitated by the Northwest Regional Council of Governments. Representatives from the City of Maryville, Nodaway County, Polk Township, Nodaway County Economic Development, and Rural Water District #1 were in attendance. All organizations provided an update of their activities and discussed furthering conversations on a centralized 9-1-1 operation.
- *4th Street Corridor Transportation Enhancement Funds*– The Transportation Enhancement (TE) Committee of the Missouri Department of Transportation (MoDOT) has selected the 4th Street Project for federal TE funds in the amount of \$240,000. An agreement has been provided to begin the process of authorizing federal funds and will be presented to the City Council for execution at the February 11, 2013, meeting. The agreement reflects funds to be used as 13.5% of the total project cost on the corridor. Other funding sources will now be identified to facilitate discussion regarding construction of the entire project.
- *4th Street Corridor Design Kick-Off Meeting*– A design kick-off meeting was held on the 4th Street Improvement Project on Thursday, January 24, 2013. City Staff, Northwest Missouri State University representatives, and SK Design Group, Inc. met to coordinate efforts moving forward and conceptualize preliminary design of the corridor. The meeting included significant discussion on design elements at the entrance to the university and near downtown now that the survey is complete. SK Design will proceed with preliminary design and associated construction cost estimates.
- *Maryville Citizens for Community Action (MCCA)* – The annual meeting of the Maryville Citizens for Community Action (MCCA) was held on January 28, 2013, at the First Christian Church. The MCCA is the umbrella organization for numerous Maryville Civic Groups. City Manager Greg McDanel, Mayor Pro-Tem Jim Fall, and Mozingo Park Superintendent Grant Evans, spoke about the Maryville Comprehensive Plan and enhancements at Mozingo Lake. Numerous civic group representatives were in attendance to provide updates and explanations of their respective organizations.
- *Atrazine Settlement* –As a result of the settlement of a class action lawsuit over atrazine, the City of Maryville has received \$302,309.07 of the \$105 million fund as reimbursement for costs associated with removing the weed killer from its water system. The City of Maryville was one (1) of 1,085 water systems, to benefit from this settlement. Individual amounts were calculated based on the contamination history of the claimants. The settlement was meant to help reimburse communities for past expenses associated with the removal of atrazine. The maximum contaminant level (MCL) set by the EPA and used by DNR for atrazine is 3.0 parts per billion (ppb) on a yearly average. Maryville treats for atrazine by using powdered carbon and results from last year show a range of no detects to 1.35 ppb. The judge ruled that it is up to the local governments to determine how these funds are used.
- *Tomorrow’s Workforce Now* – Tomorrow’s Workforce Now is a demonstration project that helps communities and business in their efforts to build a skilled workforce and create a pipeline of talent for employer success in the future. Participation in the program is designed to provide insights that will help benchmark a baseline of general standards for employee and business development. In conjunction with Tomorrow’s Workforce Now, North Central Missouri College is writing on behalf of Northwest Missouri counties a grant to offer no-cost skills assessments to employers with five or more employees. The assessments will be offered on a first come basis with twenty (20) assessments per each employer. The City of Maryville has volunteered to be a part of the program to benchmark an existing baseline for certain positions.

- *Energize Missouri Water Loan* –The City of Maryville has been provided with \$154,029.00 from the Missouri Department of Natural Resources to create a more efficient water pumping process at Mozingo Lake. Funds were designated from the Energize Missouri Water Loan Program at a 2.5% interest rate. The project will include the replacement of three (3) motors, the addition of three (VFDs) at the pump station, and the needed SCADA programming to run the equipment from the water plant. The City anticipates seeing a considerable savings in energy thereby making the project eligible for funding.
- *Great Northwest Day at the Capitol* – The Great Northwest Day at the Capitol exists as a cooperative effort by Northwest Missouri communities to unify and enhance our region’s image in Jefferson City and to pursue issues and legislation beneficial to the “Great Northwest”. The day is facilitated by Leadership Northwest Missouri, a regional leadership development program for community leaders in Northwest Missouri. The event begins on Tuesday, February 5, 2013 and continues Wednesday, February 6, 2013. More information regarding this event can be obtained by contacting the Greater Maryville Chamber of Commerce.
- *Community Foundation of Northwest Missouri* –The Community Foundation of Northwest Missouri, Inc. is a public charity serving as a vehicle for charitable giving; helping donors give to the causes they care about in area communities. The foundation’s second annual event was held Friday, January 25, 2013 at the St. Joseph, Missouri, Holiday Inn which included guest speaker Richard Longworth, author of *Caught in the Middle, America’s Heartland in the Age of Globalism*. Maryville was well represented with over fifteen (15) representatives from various civic, business, and educational organizations.
- *Northwest Missouri Regional Airport Fuel Project* –Progress continues on the installation of the airport fueling system. The final area for concrete has been framed and the concrete is scheduled to be applied January 28 or 29, 2013. Installation of the fence has begun and two (2) sides have been completed. The card system will be installed the first week of February along with polling software. A crane has been scheduled to arrive, onsite February 11, 2013 at which time the tanks will be installed. The completion date of the project, weather permitting, is approximately March 1st.
- *Advanced Advertising Strategies Class* – Staff met with the Advance Advertising Strategies class from Northwest Missouri State University on January 23rd. This was the first meeting of the spring semester between the class and city staff. At the meeting, we were able to establish a general framework of the projects that the class will be assisting with over the next several months. These projects will include: inventory of existing signage in the park, developing a plan for new sign design & implementation, creating a marketing plan for areas outside of Maryville to expand our message, and planning the Grand Re-opening celebration scheduled for this spring. The Grand Re-opening will be focused as a community event and we will be looking for many volunteers /businesses to provide activities

## **II. Council Members**

- The Art Coalition will hold a meeting on January 29, 2013.
- It was recommended that the city continue to address the blighted properties.
- The Joint Task Force has been joined by the Public Water Supply District No. 1.
- It was requested that time be determined, either before or after the regularly scheduled meetings for Council and Staff to hold a workshop to discuss projects.

## **EXECUTIVE SESSION**

**610.021(2) 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.

## **ADJOURNMENT**

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

Councilman Moss, yea; Councilman Fall, yea; Mayor Jonagan, yea. Motion carried. Meeting was adjourned at 9:25 p.m.

\_\_\_\_\_  
Glen Jonagan, Mayor

ATTEST:

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Sheila Smail, City Clerk