

**Maryville City Council**  
**Regular Scheduled Meeting**

May 13, 2013

7:00 p.m.

The Council of the City of Maryville, Missouri, met in regular session on Monday, May 13, 2013, at City Hall, 415 North Market Street, in said City at 7:00 p.m.

**PUBLIC HEARING**

Mayor Fall opened a public hearing regarding the proposed rezoning from R-2 (Single Family Residence) to R-2M (Modified Residence Zone), of property located at 121 North Avenue, owned by Chris Burns. The request was to be considered for approval by the Maryville City Council, later in the evening. Council Members were asked to share thoughts of the request.

Councilman Moss explained that he had reservations about approving the request. He stated that several neighbors were opposed to the rezoning request because they wanted their neighborhood to remain as a single family residence zone. The neighborhood is currently occupied by families, including the rentals. Councilman Moss quoted a portion of the Comprehensive Plan regarding the intent of consideration of rezoning, "To protect and sustain the city's older neighborhoods, Maryville should implement neighborhood conservation programs, including rehabilitation programs. The built housing supply is the city's largest capital investment, and its preservation is essential to maintaining residential affordability".

Councilman Moss questioned whether a violation of Chapter 105: Conflict of Interest, RSMo, had occurred since Mr. Burns is a member of the Planning and Zoning Commission, of the City of Maryville.

Citizens present to express their opposition to the rezoning request included: Mike and Jane McGary, 107 Lawn Avenue; Max Greever, 1201 North Main Street; Gina Davis, 127 North Avenue; Betty Wedlock, 1412 North Dewey Street and Dave Easterla, North Dewey Street. Their concerns had been identified by Councilman Moss previously.

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

**ROLL CALL**

The meeting was called to order by Mayor Fall and roll was called by the City Clerk, with the following present to-wit: Mayor James Fall, Council Members Ronnie Moss, Glenn Jonagan and Renee Riedel. Council Member Jeff Funston was not present. Others present were City Manager Greg McDanel, Asst., City Manager Ryan Heiland, City Attorney Doug Thomson; Dir., Finance Denise Town; Dir., Public Safety Keith Wood, Dir., Public Works C.E. Goodall, Student Liaison Cody Uhing; Elect Student Liaison Danen Merrill and City Clerk Sheila Smail.

**PLEDGE TO THE FLAG**

Mayor Fall led the pledge to the flag.

**INVOCATION**

Councilman Moss gave the invocation.

**APPROVAL OF THE AGENDA**

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

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

**APPROVAL OF MINUTES**

Mayor Fall requested any changes needed to the minutes of Council meetings held as regularly scheduled meetings on April 8 and 22, 2013, be noted at that time.

In the April 8, 2013 minutes, under Appointment of Mayor Pro-Tem, second paragraph, it should have stated "With no further nominations, Mayor Jonagan announced...".

Motion was made by Councilman Jonagan, seconded by Councilwoman Riedel, that the minutes be approved as amended. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Riedel, yea; Mayor Fall, yea. Motion carried.

**CITIZENS TO BE HEARD**

Mayor Fall 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. No persons appeared to be heard.

## **REQUEST STREET CLOSURE TO HOLD NODAWAY COUNTY FAIR PARADE, JULY 20, 2013 CHAMBER OF COMMERCE**

Mid-July of each year, the Nodaway County Fair is held around the Courthouse Square. As an extension to the fair, a parade is held on Saturday morning of that week. The parade begins near the Northwest Missouri State University, along College Avenue/West 4<sup>th</sup> Street, going east to North Buchanan Street, turning south on Buchanan Street and disperses at that corner of Buchanan Street and 2<sup>nd</sup> Street.

An application was received from the Greater Maryville Chamber of Commerce to request permission to hold the traditional Nodaway County Fair Parade upon city streets on Saturday, July 20, 2013, beginning at 9:30 a.m., and concluding at approximately 11:30 a.m. Businesses that might be affected by the event have been notified. The certificate of insurance valued at \$1,000,000.00, naming the city as an additional insured, has been submitted, along with the signed Indemnification/Hold Harmless agreement.

Staff recommended approval of the request to hold the Nodaway County Fair Parade on Saturday, July 20, 2012, beginning at 9:30 a.m.

Motion was made by Councilman Moss, seconded by Councilman Jonagan, to approve the request to hold the Nodaway County Fair Parade as requested. Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilwoman Riedel, yea; Councilman Moss, yea; Mayor Fall, yea. Motion carried.

## **REQUEST STREET CLOSURE TO HOLD DOWNTOWN SOUNDS CONCERTS (3), CHAMBER OF COMMERCE**

The Greater Maryville Chamber of Commerce began the Annual Summer Concert Series in 2008. Three (3) events are held throughout the summer months and are designed to provide free entertainment to the community, while encouraging citizens to visit their downtown area.

The Greater Maryville Chamber of Commerce has submitted a request to hold the 2013 Summer Concert Series on June 27, 2013, July 25, 2013, and August 15, 2013. It is requested that the 300 Block of North Main Street (excluding intersections) be blocked off to traffic, beginning at 5:00 p.m. and opened back up following the conclusion of the concert, on these dates. The concerts are scheduled July 27, 6:30 pm; July 25 and Aug 15, 7:00 pm until 8:30 p.m.

The City is asked to provide the barricades to block off the 300 block North Main Street, as requested. This task will be performed by Public Safety Officers on duty at that time.

Staff recommended approval of the request to hold the Summer Concert Series on, June 27, 2013, July 25, 2013, and August 15, 2013, Closing the 400 Block of North Main Street from 5:00 p.m. until 9:00 p.m.

Motion was made by Councilwoman Riedel, seconded by Councilman Jonagan, to approve the request to hold three (3) Downtown Sound Events, as requested. Upon roll being called, the vote was as follows: Councilwoman Riedel, yea; Councilman Moss, yea; Councilman Jonagan, yea; Mayor Fall, yea. Motion carried.

## **REQUEST 5K RUN/WALK ON MOZINGO LAKE TRAIL**

The past several years Maryville Treatment Center Personnel Club has requested permission to hold a 5K run/walk on the streets of Maryville. This year they are making a similar request but the location has been moved to the concrete trail that begins at the entrance of the RV Park to the Point, at Mozingo Lake Recreation Park and back. The Personnel Club is requesting to hold this event on Saturday, June 1, beginning at 8:00 a.m. and ending by 9:30 a.m.

Staff recommended approval of the request submitted by the Maryville Treatment Center Personnel Club, to hold a 5K Run/Walk on Mozingo Trail, Saturday, June 1, 2013, from 8:00 a.m. until 9:30 a.m.

Motion was made by Councilwoman Riedel, seconded by Councilman Jonagan, approval as presented of the 5K Run/Walk, on the Mozingo Trail. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Riedel, yea; Mayor Fall, yea. Motion carried.

## **TREASURER'S REPORT**

During the month of April 2013 the notable receipts of non-recurring revenue was from Northwest Missouri State University for the reimbursement of 4<sup>th</sup> Street Corridor engineering (\$16,215.28).

Non-recurring disbursements for the month of April 2013 included payments to Double Check Company for the airport fuel tank project (\$178,420.03); Smith Contracting Company for the Water/Wastewater Maintenance Building

(\$64,448.00); Jason Brown Roofing, LLC, for park shelter roofs, (\$37,751.54); Harold E. Stiens Revocable Trust for land for Wastewater Treatment Facility Improvement Project (\$37,500.00); Ronald J. Stiens Revocable Trust for land for Wastewater Treatment Facility Improvement Project (\$37,500.00); Hach Company for sensor assembly-water treatment plant repairs (\$11,038.68) and SK Design Group for 4<sup>th</sup> Street Corridor (\$8,781.95). Dir., Town noted on the Addendum the bond proceeds from Series 2013 Certificate of Deposit (COP) issuance.

Motion was made by Councilman Moss, seconded by Councilwoman Riedel, to approve the Treasurer's Report as presented. Upon the roll being called, the vote was as follows: Councilman Jonagan, yea; Councilwoman Riedel, yea; Councilman Moss, yea; Mayor Fall, yea. Motion carried.

#### **PAYMENT VENDOR SCHEDULE**

Motion was made by Councilman Jonagan, seconded by Councilwoman Riedel, to approve the payment of bills, as presented. Upon roll being called, the vote was as follows: Councilwoman Riedel, yea; Councilman Moss, yea; Councilman Jonagan, yea; Mayor Fall, yea. Motion carried.

#### **REQUEST FOR REZONING OF PROPERTY LOCATED AT 121 N. AVENUE, BY CHRIS BURNS**

The City Clerk presented a bill, Bill No. 2013'38 for an ordinance entitled:

**An Ordinance to Amend Section 405.040 (The Official Zoning Map), Ordinance No 4984 (The Zoning Ordinance), upon the Application of Chris Burns, rezoning property located at 121 North Avenue, from R-2 (Single Family Residence Zone) to R-2M (Modified Residence Zone), Maryville Missouri**

An application was received by Chris Burns for the rezoning of property located at 121 North Avenue from R-2 (Single Family Residential Zone) to R-2M (Modified Single Family Residential Zone) to allow for the development of two (2) duplexes for a total of four (4) units.

The Planning and Zoning Commission reviewed the request at the April 17, 2013 regular scheduled meeting. The applicant initially requested rezoning to R-3 to allow for the development of duplex units. However, neighborhood opposition was present at the meeting and expressed concern regarding the number of duplex units that were being proposed for the subject site. As a result, the Planning and Zoning Commission recommended a lower density rezoning of R-2M to address the neighbor's concerns. The applicant was supportive of the proposed R-2M zoning designation. The R-2M zoning would allow for a maximum of two (2) unrelated persons living within a unit. (Refer back to the Public Hearing at the beginning of these minutes to recap the comments made regarding the rezoning request).

Upon motion duly made, 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 Councilwoman Riedel, to approve the request to rezone the property at 121 North Avenue from R-2 to R-2M. Because of the lack of the motion being seconded, the motion was dismissed, resulting in the request being denied.

#### **SALE OF PROPERTY LOCATED AT 720 EAST 7<sup>TH</sup> STREET, TO RON AND CARLA SPIRE**

The City Clerk presented a bill, Bill No. 2013'39 for an ordinance entitled:

**An Ordinance authorizing the Mayor of the City of Maryville, Missouri, to execute a Contract for sale of real estate with Ron and Carla Spire, for a vacant lot located at 720 East 7<sup>th</sup> Street, Maryville, Missouri**

The property located at 720 E. 7th Street is a vacant, city owned property considered surplus. April 30, 2013, a bid opening was held with one (1) bid received from Ron & Carla Spire for \$8,225.00. The previous structure on the site was demolished in 2010 by the City of Maryville and the property has remained vacant since that time. The property was previously placed out for surplus bid in March 2013 however two equal bids were received. Both bids were rejected and were less than the current bid received.

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 Councilwoman Riedel to approve acceptance of deed for public right-of-way. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Riedel, yea; Mayor Fall, yea. Motion carried.

Said bill was then numbered Ordinance No. 7524 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, and the agreement was identified as Contract No. 2013-25.

#### **ACQUISITION OF PROPERTY FOR MARYVILLE WASTEWATER TREATMENT FACILITY**

The City Clerk presented a bill, Bill No. 2013'40 for an ordinance entitled:

**An Ordinance authorizing the Mayor of the City of Maryville, Missouri, to execute a Real Estate Purchase Contract with Gregory Stephen Barmann and Miraya Ladyn Barmann, Husband and Wife, for property to construct the Maryville Wastewater Treatment Facility, Maryville, Missouri**

The Environmental Protection Agency (EPA) has required the Missouri Department of Natural Resources (DNR), to implement new regulations for ammonia removal and disinfection. In order to meet new regulations, the City of Maryville is required to upgrade its lagoon system to a new mechanical wastewater treatment plant. The plant must be operational by July 1, 2015 to meet new permit limits or the City could face substantial fines for non-compliance.

HDR Engineering, Inc. has completed the design of the mechanical treatment plant and identified the need to purchase additional property, easements, and borrow soil to raise the potential site elevation out of the flood plain. The project design requires purchase of 9.17 acres for the new facility and 2.78 acres of Temporary Construction and Grading Easement area from Gregory Stephen Barmann and Miraya Ladyn Barmann. The property located adjacent to the existing lagoon system is currently used as prime farmland for the Barmann's. An appraisal was completed for the acquisition and staff negotiated a potential acquisition settlement for council consideration.

A settlement in the amount of \$165,342.00 was approved by City Council in executive session for matters of real estate on January 28, 2013. The settlement amount includes fee simple title to 9.17 acres and all temporary construction and grading easement area necessary to construct the project. Borrow material was previously purchased from a separate adjacent property owner. A Combined Waterworks and Sewerage System Revenue Bond issue was approved on April 3, 2012 to fund design, property acquisition, and construction of 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 Moss, seconded by Councilman Jonagan to approve a settlement in the amount of \$165,342.00 with Greg and Miraya Barmann. Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilwoman Riedel, yea; Councilman Moss, yea; Mayor Fall, yea. Motion carried.

Said bill was then numbered Ordinance No. 7525 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, and the agreement was identified as Contract No. 2013-26.

#### **REFINANCING OF THE WATER TREATMENT PLANT MEMBRANES,**

The City Clerk presented a bill, Bill No. 2013'41 for an ordinance entitled:

**An Ordinance authorizing the Mayor of the City of Maryville, Missouri, to execute a contract with U.S. Bancorp Government Leasing and Finance, Inc. ("USBGLF"), for the purpose of lease purchase refinancing of the membrane modules at the water treatment plant, Maryville, Missouri**

On Thursday, April 25th, David Schmidt of U.S. Bancorp Government Leasing Finance, Inc. ("USBGLF"), also known as US Bank, provided City staff with a proposal to refinance the water treatment plant membranes lease at a fixed rate of 1.49%. The original lease with Commerce Bank, dated December 2011, was in the amount of \$1,878,369 with a repayment of 84 months (7 years) at 2.28%. The US Bank offer is attractive from an economic

standpoint since there are no refinance fees or early repayment penalties for the remaining principal balance. Jack Dillingham, the City's financial advisor, has reviewed US Bank's offer and recommends approval. Commerce Bank has not approached the City with any offer to refinance the existing lease purchase.

The proposal will generate a monthly savings of five hundred ten dollars and ninety-seven cents (\$510.97) over the remaining life of 65 payments equaling thirty-three thousand two hundred thirteen dollars and five cents (\$33,213.05) in total savings, or six thousand one hundred thirty-one dollars and sixty-four cents (\$6,131.64) annually. The existing lease purchase agreement with Commerce has a 60 day written notice clause for early repayment, which would trigger a final payoff date of July 13, 2013. It is anticipated that interest will be due to Commerce Bank from the time of the last payment on June 30, 2013 until final pay off on July 13, 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 Jonagan, seconded by Councilwoman Riedel to approve an agreement with US Bank, to finance the water treatment plant membranes lease at a fixed rate of 1.49%. Upon roll being called, the vote was as follows: Councilwoman Riedel, yea; Councilman Moss, yea; Councilman Jonagan, yea; Mayor Fall, yea. Motion carried.

Said bill was then numbered Ordinance No. 7526 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, and the agreement was identified as Contract No. 2013-27.

**CONTRACT WITH WILLIAMS SPURGEON KUHL & FRESHNOCK ARCHITECTS, INC.,  
ARCHITECTURAL DESIGN FOR PUBLIC SAFETY FACILITY**

The City Clerk presented a bill, Bill No. 2013'42 for an ordinance entitled:

**An Ordinance authorizing the Mayor of the City of Maryville, Missouri, to execute a contract with Williams Spurgeon Kuhl & Freshnock Architects, Inc., for the purpose of providing architectural design services for a new Public Safety Facility, Maryville, Missouri**

On February 28, 2013 a Request for Qualifications was released requesting architectural design services for the purpose of performing a needs assessment study, site suggestions and evaluations, cost estimation, and conceptual renderings for a new Public Safety Facility. A total of eight (8) firms responded with detailed qualifications by the deadline. A committee of six (6) persons was tasked with review and attempted to identify the most qualified firm to best suit our needs. The committee narrowed the field to the top three (3) firms and completed reference calls to various police/fire departments regarding the firms work history. After a review of qualifications and reference calls, Williams, Spurgeon, Kuhl & Freshnock Architects, Inc. (WSK&F) appears to be the most qualified firm for the project.

WSK&F have provided a fee proposal for all work requested in a total amount of \$37,400. The total includes performance of a needs assessment study, detailed examination of four (4) possible sites, and schematic design. Additional site assessments can be performed under the agreement for a total of \$1,500 each. The FY 2013 budget includes \$40,000 for the services requested in the General Fund.

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 Jonagan to approve an agreement with Williams Spurgeon Kuhl & Freshnock Architects, Inc., for the purpose of providing architectural design services for a new Public Safety Facility. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Riedel, yea; Mayor Fall, yea. Motion carried.

Said bill was then numbered Ordinance No. 7526 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, and the agreement was identified as Contract No. 2013-27.

### **19 VS. 21, AGE FOR BAR ENTRY**

It has been determined that there is more to address than just the 19 vs. 21 age admittance into bar, in resolving concerns related to the alcohol issues in the City of Maryville. Other items being reviewed by staff include “Drinking in Public” (Open Container), Drink Specials, Noise Restrictions, Northwest Missouri State University Partnership in enforcement and training for owners and employees of establishments.

Dir., Public Safety Keith Wood, reflected on conversations he has had with City Manager McDanel and Police Chief Clarence Green, on issues that affect the community and the university students. The review and action taken would occur soon because of the fact that students will be back in August. It was noted that it will be easier to enforce and make known the changes at the beginning of the school year.

An ordinance will be prepared to be considered at the next meeting for the minimum age of persons to enter into a liquor by the drink establishment, excluding restaurant bars.

### **MEMORIAL DAY - SCHEDULED COUNCIL MEETING**

Due to Memorial Day Holiday being on the fourth Monday of May, the Council was asked to consider an alternate date to hold the next City Council meeting. It was agreed that the next City Council meeting will be held on Tuesday, May 28, 2013, at 7:00 p.m.

City Manager McDanel suggested that the Council Members consider a resolution stating if a regularly scheduled meeting falls on a holiday that the following Tuesday is the rescheduled date.

### **JOINT 911 DISPATCH**

Public Safety Dir., Keith Wood reported that discussions have been had many times through the past years regarding the consolidation of 911 dispatch, with Nodaway County, Northwest Missouri State University and the Public Safety Department. It has been perceived to save money by consolidating but felt that at best they would break even. Staff expressed their desire to remain individual if there is no real benefit to combining. In the process of considering a design for a proposed Public Safety building, the subject should be considered.

### **RADAR DETECTION SYSTEM AT MAIN STREET & SOUTH AVENUE INTERSECTION**

Over the last few decades, Maryville has experienced high traffic volumes at the intersection at Main Street and South Avenue has often been a bottleneck in the system preventing proper traffic flow. A complete intersection modification and roadway reconstruction is intended for the long-term in the Maryville Comprehensive Plan. Staff has begun analyzing minor improvements that could be made immediately to assist in alleviating traffic.

The traffic signal at the intersection at Main Street and South Avenue currently operates on a “puck” system. Puck systems provide limited traffic relief when used in high backup intersections as they operate directly on a vertical sensor.

Another traffic signal option is called a Radar Stop Bar Detection system. The radar system transmits electromagnetic signals that are reflected by moving targets in its vision range. Radar is an above ground solution mounted on the fixed arms allowing for range to be adjusted at the control box. The units create anywhere between 100-300 linear foot 90 degree views of each intersection detecting vehicles in thru/turn lanes for improved timing accuracies. Sensors are flexibly placed on intersection poles and perform regardless of light or weather.

Staff attended a demolition of a simulated radar stop bar detection system from WaveTronix at the intersection of Main Street & South Avenue. The system was connected to the computer monitor to show radar detection and identified traffic issues. The demo was performed at 3:00 p.m. during high traffic and highlighted 10-25 second delays through signal changes due to inaccuracies of puck detection. Several pucks also did not appear to register left-turn movements complicating thru traffic. The radar system also includes capabilities to perform detailed traffic counts and with limited tech support.

The SmartSensor Matrix Radar Stop Bar Detection system was quoted at \$23,437.00 for the intersection of Main Street & South Avenue. The system includes four (4) matrix sensors and one (1) interface panel. In addition to the

price of the system an estimated \$2,500 in electrical work is required to pull new control wiring and complete the connection to the cabinet. No funds are budgeted for the upgrade in FY2013.

Staff discussed with Council benefits of an upgrade to a Radar Stop Bar Detection system at the intersection of Main Street and South Avenue. Council concluded that the upgrade should be considered during the FY2014 Budget process.

#### **MOZINGO LAKE RECREATION PARK LODGE FACILITY – STUDY UPDATE/RFQ**

The City of Maryville has commissioned IDM Group, LLC to perform a complete update of the hotel Market Analysis and Project Feasibility report dated July 11, 2011 for the Mazingo Lodge Facility concept. The updated report details current conditions, occupancy demand in the local market, and makes recommendations for what type of lodging facility would benefit from Mazingo Lake Recreation Park amenities. The complete updated report was provided to City staff on May 10th. A hard copy of the full report, was presented during the meeting.

City staff is also finalizing the details of the Request for Qualifications (RFQ) for the development of a lodge and conference center for council review at the meeting. Staff is incorporating the current hotel market overview into the RFQ and other details from the IDM update. Staff requested approval to release of the RFQ on May 15, 2013, to allow for promotion at the ICSC ReCon, Conference in Las Vegas, NV. According to the draft RFQ the deadline for submissions is June 14, 2013 and interviews with selected firms will occur between June 20 and July 17, 2013.

#### **GOAL PLANNING, FISCAL YEAR 2014**

With the development of a new budget for the fiscal year 2013-14 approaching, Council was asked if they prefer to hire a third party to facilitate the discussion of the needs and assessments of the City for the coming year. Council recommended it be done in-house this year. As the first step, it was determined that the Council will examine the list of needs provided by the Department Heads.

#### **BUILDING CODE UPDATES**

The City of Maryville is considering updating from the current 2006 ICC Building Codes to the 2012 ICC Building Code version. An approximate timeline of the process to update to the 2012 version was provided. The timeline was summarized as follows:

**Phase One:** Meet with local development professionals for input, present findings to Council.

**Phase Two:** Order & learn new Code books along with Code Commentary & Change books. Code Commentary & Change books illustrate difference between 2006 & 2012 ICC Code books.

**Phase Three:** Technical review of code book along with meetings with development professionals for their input and to develop any Code modifications and/or exceptions.

**Phase Four:** Implement Building Code through a series of meetings with City Council. It is anticipated that a couple of these meetings will be used to give a general overview of the changes to City Council. Following meetings would involve passage of ordinances.

**Phase Five:** City Ordinance Section 500.040 requires city to conduct seminars one day a week for one month on alternate days. The final phase will be staff education for development professionals on Code updates. Staff also needs to be considerate of the season for which the project is being initiated as spring, summer,& fall, are the busy seasons for the construction business. By extending the review period into the winter months, it is anticipated that a greater number of development professionals will be able to participate. The Code books will need to be purchased for the update: 2012 ICC Building Code, 2012 ICC Residential Code, 2012 ICC Fire Code, 2012 ICC Property Maintenance Code, 2012 ICC Mechanical Code, 2012 ICC Plumbing Code, 2012 ICC Fuel Gas Code, 2012 ICC Existing Building Code,

Direction was provided by Council for City staff to proceed to set up meeting times with local development professionals to begin the first phase of this project. Findings from those meetings will be presented to City Council around July 1st according the proposed schedule.

#### **REPORTS**

##### **I. Student Liaison**

- Northwest Missouri State University (NWMSU) Student Senate Liaison Cody Uhing, introduced Danen Merrill as the new liaison for the coming school year.

##### **II. City Manager**

- *Munn Avenue Improvement Project (South Ave. to Highway V)*–Phase I is underway and has experienced several delays due to weather and utility relocations. The overrun is estimated at approximately three (3) weeks. The contractor is working with SK Design Group, Inc. and City staff to address a significant amount of poor sub grade in Phase I before paving. Phase II is anticipated to begin near the first or second week of June. Phase II completion date remains August 15<sup>th</sup> to allow for direct access to the Maryville High School.
- *Depot Street Improvement Project (1st Street to Halsey)* – The City Council approved a Release Agreement with Loch Sand Construction Company and Fidelity and Deposit Company of Maryland and a Completion Contract with White Cloud Engineering & Construction Company during a Special City Council Meeting held Thursday, May 9th. The completion contract commences May 13th with substantial completion being reached July 22nd. The final inspection and completion date for the project is set for August 12th.
- *Maryville Wastewater Treatment Plant* – HDR Engineering, Inc. has completed design and engineering of the new mechanical wastewater treatment plant. Construction of the plant is required to upgrade Maryville’s current lagoon system to meet new regulations for ammonia disinfection and removal presented by the Missouri Department of Natural Resources (DNR) and the Environmental Protection Agency (EPA). All property and easements to construct the facility have been acquired and revenue bonds to finance construction have been approved by Maryville voters. The City of Maryville is now seeking bids from qualified contractors for the construction of the improvements at the Maryville Wastewater Treatment Plant. Bids are due at the office of the City Clerk in City Hall by 2:00 p.m. on June 13, 2013. A mandatory pre-bid conference will be held May 23rd at 10:00 a.m. in the City Council chambers at City Hall. The new plant must be operational by July 1, 2015 or the City of Maryville could face substantial fines for non-compliance of the new regulations.
- *Prescription Drug Take-Back Program* -Maryville Public Safety conducted their semi-annual Prescription Drug take-back program on Saturday, April 27, 2013 at Walmart. The effort produced 157 lbs of prescription drugs, nearly double the historical average produced. Facebook promotion and increased media coverage played a significant role in obtaining these drugs for proper disposal.
- *Fly In at Northwest Missouri Regional Airport* –The Hawk Road Flyers EAA Chapter 1540 has scheduled a Fly In event at Northwest Missouri Regional Airport for Sunday, September 8, 2013. The event will tentatively include a pancake breakfast, static aircraft display, military aircraft fly over, National Guard display, airplane rides, vendor booths, and encourage numerous pilots from the region to fly in and enjoy the facilities. The Airport Board will soon be reviewing the schedule and making a formal recommendation to the City Council for event approval.
- *Northwest Missouri Regional Airport Runway Replacement*- This past week, the airport runway experienced its first “pop-up” of the season. An area approximately 1,000-feet from the end of the runway buckled. The Public Works Street Maintenance staff was able to patch the disturbed area but it will require a permanent fix. As with similar instances in the past, approximately four “squares” of concrete measuring approximately 8’x 8’ each will need to be replaced.
- *Public Safety Fire Engine Pumper RFP* – The City of Maryville is soliciting bids for the production/purchase of a new Fire Engine Pumper. Bids are encouraged for a commercial chassis or custom chassis and will be received until May 22, 2013 at 3:00 p.m. Funding for the pumper replacement is included in the FY2013 budget and will utilize Capital Improvement Sales Tax funds as approved by voters in 2008. The unit will replace a U-1 1982 Ford 8000 Pumper that has reoccurring maintenance concerns.
- *2013 Asphalt Mill & Overlay Project* -The City of Maryville is requesting proposals for the milling and installation of hot-mix asphalt along Walnut Street from Lincoln north to 1st Street. The RFP includes milling 4” of asphalt and placement of 2” to gain existing curb height to assist with drainage issues along the corridor. City staff will work with the contractor during the project to replace several sections of curb that are deteriorated or non-existent.

An optional pre-bid meeting will be held Monday, May 20th at 10:00 a.m. at City Hall. Bids on the project are due by 10:00 a.m. Friday, May 24th.

- *2013 ITGA Annual Conference* - The schedule of presenters has been released for the 2013 International Town & Gown Association (ITGA) Annual Conference. City Manager Greg McDanel, and Assistant City Manager Ryan Heiland will be presenting a concurrent educational session through the conference track of Municipal Partnerships/Community Advocacy. The session is titled “Partnerships for Progress: Infrastructure that creates symbolic and functional improvements in a community” and will focus on efforts to this point to address the 4th Street Corridor in Maryville. Out of forty two (42) sessions scheduled for the annual conference, Maryville represents the only municipality nationwide and internationally to be represented as presenters.
- *Unsafe & Dangerous Structure, 110 South Fillmore Street* - The City of Maryville will be receiving sealed bids for the demolition of a substandard structure located at 110 South Fillmore Street until 11:00 a.m. Friday, May 24th. The structure was one of three (3) unsafe and dangerous structures approved by the Board of Code Appeals. The sixty day compliance period has lapsed and no improvements have been made to the property. The two (2) remaining structures will be addressed through property owner compliance. The structure at 816 E. Edwards has already been removed and the structure located at 505 E. 6th will be removed within the next sixty (60) days. Staff will now identify the next group of dangerous structures and proceed through the process.
- *Campus Town Redevelopment Incentive Program (CTRIP)* –Applications are now available for the Campus Town Redevelopment Incentive Program. The program is designed to encourage the demolition of substandard housing and foster new construction in an area defined as the Campus Town Overlay. CTRIP aims to incentivize property owners to enhance the appearance and functionality of their property while increasing the assessed value of the area through redevelopment. CTRIP applicants are potentially eligible for elimination of all tipping-fees for demolition debris at the Maryville Transfer Station and waiver of all permit fees associated with redevelopment. These fees may include; water tap, sewer tap, demolition, building, plumbing, mechanical, and electrical permit fees. Applicants must meet specific criteria and be approved before any demolition or construction occurs. More information regarding requirements of the program and an application can be found at [www.maryville.org/ctrip](http://www.maryville.org/ctrip) .
- *MIRMA Spring Seminar* –Each year Missouri Intergovernmental Risk Management Association (MIRMA) holds a Spring Seminar at various locations around the state and this year, Maryville will be a host site. It is scheduled for May 29th from 10 a.m. to 3 p.m. at the Mozingo Lake Recreation Park Youth Camp Multipurpose Building and will most likely draw in city officials from across the Northwest Missouri region. MIRMA will focus on several important topics for supervisors and those responsible for employee safety. The course will provide attendees with information on personal protective equipment, work zone barricading, sidewalk liability, workplace violence response, and workers’ compensation statutes. Registration, including lunch, is \$10 per person and must be submitted by May 17th.
- *Golf Leagues* -Men’s League: Men’s Golf League plays on Wednesday evenings and will begin on May 29<sup>th</sup> and runs until August 18th. Room is still available to sign up for the league and this year promises to be a great year. Changes in the format have been made to create a level field of play for those wishing to compete and additional weekly events are included to increase the level of enjoyment.  
Women’s League: Women’s League will be played on Thursday evenings starting at 5:45pm. On Tuesday, May 21st a free preview night will be held starting at 5:30 p.m.. Happy hour begins at 5:00 p.m. The range, putting green, and golf course will be open to play or practice and professional golf tips will be provided free of charge. The format of Ladies League has been revamped for this year as well with many new and exciting weekly events. For example, June 6th is “Bring a Friend” night where league members can bring a friend to play for free.
- *GFOA Distinguished Budget Award* – The City of Maryville has been received its first ever Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for the FY 2013 Budget document. The award represents a significant achievement by the entity. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting. In order to receive the budget award, Maryville had to satisfy nationally recognized guidelines for effective budget presentation.

These guidelines are designed to assess how well an entity's budget serves as a policy document, financial plan, operations guide, and communications device. Budget documents must be rated "proficient" in all four categories and fourteen mandatory criteria within those categories to receive the award. Only 1,340 entities in the United States and Canada are expected to obtain the award. The Distinguished Budget Presentation Award Program is the only national awards program in governmental budgeting. The FY 2013 Budget document can be viewed at [www.maryville.org/budget13](http://www.maryville.org/budget13)

### **III. Council Members**

- Councilwoman Riedel expressed her appreciation to all who assisted with the Mazingo Grand Re-Opening event.
- Mayor Fall expressed his appreciation to Cody Uhing for his participation as the Student Liaison.

### **EXECUTIVE SESSION**

Motion was made by Councilman Jonagan, seconded by Councilman Moss that the Council, go into executive session. Upon roll being called, the vote was as follows: Councilman Jonagan; yea; Councilwoman Riedel, yea; Councilwoman Riedel, yea; Mayor Fall, yea. Motion carried.

City Council met in closed session to discuss the Hiring, Firing, Disciplining or Promoting of Particular Employee by a Public Governmental Body When Personal Information about the Employee Is Discussed or Recorded, as Authorized by Section 610.021(3) RSMo, Closed Meeting, Closed Record, Closed Vote.

Motion was made by Councilman Moss, seconded by Councilman Jonagan to come out of executive session. Upon roll being called the vote was as follows: Councilman Jonagan, yea; Councilwoman Riedel, yea; Councilman Moss, yea; Mayor Fall, yea. Motion carried.

### **ADJOURNMENT**

Motion was made by Councilman Moss, seconded by Councilman Jonagan to adjourn the meeting. Upon roll being called the vote was as follows: Councilwoman Riedel, yea; Councilman Moss, yea; Councilman Jonagan, yea; Mayor Fall, yea. Motion carried.

Meeting was adjourned at 9:35 pm.

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James R. Fall, Mayor

ATTEST:

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Sheila Smail, City Clerk