

**Maryville City Council**  
**Rescheduled Meeting**  
July 15, 2013  
7:00 p.m.

The Council of the City of Maryville, Missouri, met in regular session on Monday, July 15, 2013, at City Hall, 415 North Market Street, in said City at 7:00 p.m. The first meeting of July 2013 was scheduled to be held, Monday, July 8, 2013, but because of the inability to have a quorum present, the meeting was postponed until Monday, July 15, 2013.

**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, Jeff Funston and Renee Riedel. 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, and City Clerk Sheila Smail.

**PLEDGE TO THE FLAG**

Mayor Fall led the pledge to the flag.

**INVOCATION**

Mayor Fall gave the invocation.

**BID OPENING FOR BANKING SERVICES**

City Clerk Smail opened the bids received from the four (4) local banks for banking and investment services and to function and serve as the depository of funds of the City of Maryville. Bids were received from, Citizens Bank and Trust, US Bank, Bank Midwest, and Nodaway Valley Bank.

City Manager McDanel and Dir., Finance Town left the Council Chambers to review the documents in an effort to determine the lowest and best bid. The meeting proceeded during their absence.

**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 Funston, 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 the regularly scheduled City Council meetings held on June 10 and 24, 2013, be noted at that time.

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

*City Manager McDanel and Dir., Finance Denise Town re-enter the meeting after reviewing the bid packets for the contract for banking services.*

**REQUEST TO HOLD 7<sup>TH</sup> ANNUAL MAC MINI TRIATHLON, AUGUST 3, 2013**

The Maryville Park and Recreation Department requested permission to hold the 7<sup>th</sup> Annual MAC Mini Triathlon Event. This year's event was proposed to be held on Saturday, August 3, 2013, with preparations beginning at 6:00 a.m., the event starting at 7:15 and concluding at approximately 11:00 a.m. The first leg of the race will begin at the Maryville Aquatic Center which will consist of a swimming competition, followed by biking, and then running a specified route, returning to the Maryville Aquatic Center.

The Maryville Park and Recreation Department requested the use of 4-way stop signs and slow/caution signs for the busy intersections along the routes. Volunteers will be available at various locations to assist with traffic control.

Motion was made by Councilman Jonagan, seconded by Councilman Moss, to approve the request to hold the 7<sup>th</sup> Annual MAC Mini Triathlon on Saturday, August 3, 2013. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Riedel, yea; Councilman Funston, yea; Mayor Fall, yea. Motion carried.

**REQUEST SUPPORT FOR LEADERSHIP MARYVILLE, 2013-14**

The Leadership Maryville Program began 27 years ago, with a purpose of building awareness and involvement in the Maryville community. For several years the City has contributed to the efforts of Leadership Maryville, at an annual sum of \$700.00. The amount was again requested for the 2013-14 fiscal year.

Motion was made by Councilman Moss, seconded by Councilman Funston, to support the Leadership Maryville cause for the 2013-14 year in the amount of seven hundred dollars (\$700). Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilwoman Riedel, yea; Councilman Funston, yea; Councilman Moss, yea; Mayor Fall, yea. Motion carried.

**REQUEST SUPPORT FOR HUMANE SOCIETY FOR FISCAL YEAR 2013-14, BY DOUG SUTTON**

Doug Sutton, Member of the Nodaway Humane Society, presented information regarding the financial status of the Nodaway Humane Society. Mr. Sutton stated that the Humane Society recently borrowed fifteen thousand dollars (\$15,000) against the equity of the property.

Mr. Sutton requested the City consider an additional thirty thousand dollars (\$30,000) be budgeted for the operation of the Humane Society, for the 2013-2014 fiscal year.

The City Council will take their request for support into consideration during budget development.

**TREASURER’S REPORT**

During the month of June 2013, notable receipts of non-recurring revenue were received from Missouri Department of Transportation (MoDOT) for the airport fuel project reimbursement, request No. 13 (\$6,060.00); MoDOT for the Hospital/Middle School trails project reimbursement requests No 7 and 8 (\$66,071.60);

Non-recurring disbursements for the month of June 2013 included payments to Tyler Technologies for 25% of software license fees down payment (\$13,273.50); Smith Contracting Company for water maintenance building (\$43,400); Bill Driskell & Sons for HeRO grant project (\$19,030.00); Andrew Spire Construction for Hospital/Middle School trail project (\$79,436.00); HDR Engineering for Wastewater Treatment Plant Improvement Project (\$16,519.38); SK Design Group for the 4<sup>th</sup> Street Corridor Project (\$11,886.72); MIRMA for 2 sewer backup claims (\$12,634.33); MIRMA for annual assessment (\$390,961.00); Sungard Pentamation for 8 months software maintenance (\$13,283.06); and Joe Machens Ford for 2-2013 Explorers for Public Safety (\$51,046.00)

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

**HEALTHCARE SERVICES AGREEMENT, ST. FRANCIS HOSPITAL AND HEALTH SERVICES**

The City Clerk presented a bill, Bill No. 2013’56 for an ordinance entitled:

**An Ordinance authorizing the Mayor of the City of Maryville, Missouri, to execute a Healthcare Services Agreement with St. Francis Hospital & Health Services, to provide healthcare services to low income individuals, Maryville, Missouri**

The City of Maryville was approached by St. Francis Hospital & Health Services for assistance in participating in the “340B Program” of the Public Health Service Act. Section 340B allows a qualifying hospital, as defined in Section 1886 (d)(5)(F), of the Social Security Act, to participate in the drug discount program. As a participating hospital, St. Francis Hospital & Health Services may seek reimbursement under the terms of the Social Security Act.

In order to participate in the program, the qualifying hospital must enter into an agreement with a state or local unit of government and agree to continue to provide health care services to low income individuals without Medicare or Medicaid benefits. The agreement essentially states that St. Francis Hospital and Health Services will continue to provide health care services to low income individuals and the City of Maryville recognizes it is in the public interest for citizens to benefit from participation in the 340B Program. According to the agreement, the hospital shall not seek compensation from the City, nor is the City obligated to pay any amount to the hospital for services related to the agreement. The agreement shall remain in effect for two (2) years with automatic one (1) year renewals, unless a ninety (90) day notice is given by either party.

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.

Upon motion duly made, 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 Funston, to approve the execution of a healthcare services agreement with St. Francis Hospital and Healthcare Services Agreement. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Riedel, yea; Councilman Funston, yea; Mayor Fall, yea. Motion carried.

Said bill was then numbered Ordinance No. 7538 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. The agreement was identified as Contract No. 2013-34

#### **APPROVAL OF LIQUOR LICENSE FOR THE PUB, BY JEFF ZELLER, OWNER**

An application was received by Jeff Zeller, owner of the Pub, located at 414 North Main Street, for Liquor by the Drink License. Due to the south wall of the structure collapsing, the Pub has been under major reconstruction and renovation, but the project is nearing completion. Mr. Zeller made application to request Liquor by the Drink License contingent upon completion and approval by the Code Enforcement Officers, in the form of a Certificate of Occupancy by the City of Maryville.

Motion was made by Councilman Jonagan, seconded by Councilwoman Riedel, to approve the requested Liquor by the Drink License for the Pub at 414 North Main Street, contingent upon receiving a Certificate of Occupancy for the structure. Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilwoman Riedel, yea; Councilman Funston, yea; Councilman Moss, yea; Mayor Fall, yea. Motion carried.

#### **REQUEST TO HOLD HANDGUN CLASS FOR ADULTS/YOUTH AT YOUTH CAMP, MOZINGO**

Applicant, Shawn Harper of ABC Handgun Team, requested permission to hold a Handgun Safety Class at the Youth Camp facilities at Mozingo Lake Recreation Park. Mr. Harper requested use of the multi-purpose building for classroom activities and requested permission to use the outdoor area of the Youth Camp to fire handguns at steel targets. The participants would be required to demonstrate proper and safety techniques in using pistols and revolvers and would fire 140 shots (70 with each type of gun) of a .22 caliber at a B-27 silhouette target at a distance of 21-feet. A maximum of 60 students with at least 4 or more NRA Certified Instructors would be onsite.

The date of the event had not been determined and would be subject to other activities in the park. The class time was proposed to be held from 9:00 am to 5:00 pm. The applicant has indicated they are willing to work with staff to identify the safest area to set up the firing range on the Youth Camp property.

No concerns were expressed for the classroom portion of the proposed event, but staff recommended that further discussion on the shooting range portion would be beneficial to determine if a more acceptable venue is possible, such as the Municipal Gun Range, or having a site visit with the applicant to determine the safest area for a shooting range.

Motion was made by Councilman Funston, seconded by Councilman Jonagan, to approve the classroom portion of the request only. Upon roll being called, the vote was as follows: Councilwoman Riedel, yea; Councilman Funston, yea; Councilman Moss, yea; Councilman Jonagan, yea; Mayor Fall, yea. Motion carried.

The shooting portion will be studied further and brought back to the Council for consideration at a future meeting.

#### **APPOINTMENT/REAPPOINTMENT OF LIBRARY BOARD TRUSTEES**

Stephanie Patterson, Dir., Maryville Public Library requested appointment/reappointment of trustees of the Maryville Public Library Board for 2013 – 2014. Terms had expired for Members Carole Edmonds, Susan Martin, and Michele Wade. Carole Edmonds has served as a Maryville Public Library Trustee since 2008; Susan Martin since 2007 and Michele Wade since 2010. Mrs. Edmonds declined the opportunity to serve another term and Ms Wade has recently accepted a new job in Pennsylvania and will be unavailable for serving another term. However, Susan Martin has agreed to serve another term if reappointed by the Council.

With two positions of the Public Library Board of Trustees now open, the search for candidates had begun. An application was received from Heather Finch who had expressed interest in serving on the Board of Trustees.

Motion was made by Councilman Jonagan, seconded by Councilman Moss, to re-appoint Susan Martin and to appoint Heather Finch to the Board of Trustees of the Maryville Public Library. Upon roll being called, the vote was as follows: Councilman Funston, yea; Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Riedel, yea; Mayor Fall, yea. Motion carried.

The remaining opening will be brought to the City Council for approval when a qualifying candidate has been identified.

**CHANGE ORDER NO. 1, WILLIAMS SPURGEON KUHL & FRESHNOCK ARCHITECTS CONTRACT, DESIGN SERVICES FOR CITY HALL**

The City Clerk presented a bill, Bill No. 2013'57 for an ordinance entitled:

**An Ordinance authorizing the Mayor of the City of Maryville to execute Change Order No. 1, of a Contract between the City of Maryville, Missouri and Williams Spurgeon Kuhl & Freshnock Architects, Inc., for the purpose of providing architectural design services for a new City Hall, Maryville, Missouri**

On May 13, 2013, the City Council approved an ordinance to hire Williams Spurgeon Kuhl & Freshnock (WSK&F) Architects, Inc. to provide architectural design services for a new Public Safety Facility. These services included a needs assessment study, site suggestions and evaluation, cost estimation, and basic conceptual renderings for the new facility. WSK&F will begin performing the detailed needs assessment with city staff for the long-term needs of each department.

Along with the Public Safety Facility, Maryville City Hall is an aging building that functionally presents challenges for municipal operations. Often in the past, City Council and citizens have questioned if City Hall and Public Safety buildings should be replaced with a joint-facility in the future. WSK&F has provided staff a quote to perform a similar needs assessment study, schematic design, and cost estimation for a City Hall facility replacement. Through studying the needs of both facilities with the same firm, staff can analyze with the architects to determine the feasibility of a joint structure.

The scope of services provided by WSK&F includes a complete needs assessment study with presentation to the City Council, schematic design with a presentation to city council, and a cost estimate of annual operating costs for said facility in an amount not-to-exceed \$25,000. The FY 2013 budget includes a \$30,000 line item for City Hall updates and minor remodel. Staff recommends utilizing these funds for the study and using remaining funds for minor repairs.

Staff recommended approval of the proposed ordinance to execute Change Order No. 1 with Williams Spurgeon Kuhl & Freshnock Architects, Inc. for an amount not to exceed \$25,000 for additional architectural design services for City Hall facility. Staff recommends utilizing the window of opportunity for the firm's study of the Public Safety facility to answer long-term questions regarding City Hall. Although only \$13,400 is dedicated to the Needs Assessment Study, staff recommends proceeding with the full package and optional schematic design to reduce potential costs in the future. The additional services will also assist the current study regarding the future of Municipal Court and City Hall's relationship with Public Safety.

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 Councilwoman Riedel to approve Change Order No 1, with Williams Spurgeon Kuhl & Freshnock Architects, Inc., in an amount not to exceed \$25,000 for additional architectural design services for City Hall facility. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Riedel, yea; Councilman Funston, yea; Mayor Fall, yea. Motion carried.

Said bill was then numbered Ordinance No. 7539 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. Change Order No. 1 was made a part of the original contract, identified as Contract No. 2013-28.

**CONTRACT WITH REEVES WIEDEMAN COMPANY, PURCHASE PLUMBING MATERIALS**

The City Clerk presented a bill, Bill No. 2013'58 for an ordinance entitled:

**An Ordinance authorizing the Mayor of the City of Maryville, Missouri, to execute a contract with Reeves Wiedeman Company, for the purpose of purchasing plumbing materials for the construction of family cabins, at Mozingo Lake Recreation Park, Maryville, Missouri**

On April 22, 2013, the City Council approved a Memorandum of Understanding (MOU) with the Maryville R-II School District to enter into a mutually beneficial agreement for the construction of additional cabins at Mozingo Lake Recreation Park through assistance by the Northwest Technical School. According to the MOU, the City agrees to provide all building materials for the construction of one (1) or two (2) cabins and the School District agreed to provide labor at no cost, as an

educational experience for the students. In return for assistance with the project, the City conveyed a vacant lot located at 308 E. 6<sup>th</sup> Street to the School District to be used for a future Northwest Technical School construction project.

Under the MOU, the City agreed to provide all building materials in advance and onsite to utilize the assistance from the Northwest Technical School efficiently. Invitations to bid on four (4) separate categories of building materials were released to ensure vendors could provide competitive bids. Each bid package included a base materials list for the construction of a large family cabin and an alternate materials bid for a small family cabin.

Council Bill No's 2013'58, 2013'59, 2013'60 and 2013'61, pertain to the same subject and are associated with the construction of two (2) family cabins being constructed at Mozingo Lake Recreation Park.

Two (2) bids were received for the purchase of plumbing supplies, by The Home Depot (\$3565.14) and Reeves Wiedeman (\$5,257.01). The Home Depot submitted an incomplete bid which made Reeves and Wiedeman the recommended bidder to purchase plumbing supplies from.

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 Funston, to approve the purchase of plumbing supplies from Reeves Wiedeman Company for the construction of family cabins at Mozingo Lake Recreation Park. Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilwoman Riedel, yea; Councilman Funston, yea; Councilman Moss, yea; Mayor Fall, yea. Motion carried.

Said bill was then numbered Ordinance No. 7540 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. The agreement will be identified as Contract No. 2013-35.

**CONTRACT WITH MCGINNESS ELECTRIC, INC., MECHANICAL UNITS & ASSOCIATED MATERIALS FOR CONSTRUCTION OF FAMILY CABINS**

The City Clerk presented a bill, Bill No. 2013'59 for an ordinance entitled:

**An Ordinance authorizing the Mayor of the City of Maryville, Missouri, to execute a contract with McGinness Electric, Inc., for the purpose of purchasing mechanical units and associated materials for the construction of family cabins, at Mozingo Lake Recreation Park, Maryville, Missouri**

This item is associated with the construction of two (2) family cabins. The sole bid for mechanical units and associated materials was from McGinness Electric, Inc., at a price of nine thousand five hundred ninety-four dollars (\$9,594.00). Staff recommended approval of the proposal 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 Jonagan, seconded by Councilman Funston, to approve the purchase of mechanical units and associated materials from McGinness Electric, Inc., for the construction of family cabins at Mozingo Lake Recreation Park. Upon roll being called, the vote was as follows: Councilwoman Riedel, yea; Councilman Funston, yea; Councilman Moss, yea; Councilman Jonagan, yea; Mayor Fall, yea. Motion carried.

Said bill was then numbered Ordinance No. 7541 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. The agreement will be identified as Contract No. 2013-36.

**CONTRACT WITH DRAKE BUILDING SUPPLY CENTER, CONSTRUCTION MATERIALS FOR CONSTRUCTION OF FAMILY CABINS**

The City Clerk presented a bill, Bill No. 2013'60 for an ordinance entitled:

**An Ordinance authorizing the Mayor of the City of Maryville, Missouri, to execute a contract with Drake Building Supply Center, for the purpose of purchasing construction materials for the construction of family cabins, at Mozingo Lake Recreation Park, Maryville, Missouri**

This item is associated with the construction of two (2) family cabins. Three (3) bids were received for the purchase of construction materials. Totals including base bid and alternate bid were as follows: Home Depot (\$40,555.16); Drake

Building Supply Center (\$43,295.60) and Bearcat Lumber Company (\$44,776.45). Because the bid received from Home Depot was incomplete, Staff recommended approval of the bid received from Drake Building Supply Center at the cost of forty-three thousand two hundred ninety-five dollars and sixty cents (\$43,295.60).

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, to approve the purchase of construction materials from Drake Building Supply, Inc., for the construction of family cabins at Mozingo Lake Recreation Park. Upon roll being called, the vote was as follows: Councilman Funston, yea; Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Riedel, yea; Mayor Fall, yea. Motion carried.

Said bill was then numbered Ordinance No. 7542 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. The agreement will be identified as Contract No. 2013-37.

#### **CONTRACT WITH KRIZ DAVIS, ELECTRICAL MATERIALS FOR CONSTRUCTION OF FAMILY CABINS**

The City Clerk presented a bill, Bill No. 2013'61 for an ordinance entitled:

**An Ordinance authorizing the Mayor of the City of Maryville, Missouri, to execute a contract with Kriz Davis, for the purpose of purchasing electrical materials for the construction of family cabins, at Mozingo Lake Recreation Park, Maryville, Missouri**

This item is associated with the construction of two (2) family cabins. Three (3) bids were received for the purchase of electrical materials. Totals including base bid and alternate bid were as follows: Kriz Davis (\$4,543.00) Home Depot (\$4,777.86); and American Electric Company (\$4,826.44). Staff recommended approval of the bid received from Kriz Davis at the cost of four thousand five hundred forty-three dollars (\$4,543.00).

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 Funston, to approve the purchase of electrical materials from Kriz Davis Company, for the construction of family cabins at Mozingo Lake Recreation Park. Upon roll being called, the vote was as follows: Councilman Moss, yea; Councilman Jonagan, yea; Councilwoman Riedel, yea; Councilman Funston, yea; Mayor Fall, yea. Motion carried.

Said bill was then numbered Ordinance No. 7543 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. The agreement will be identified as Contract No. 2013-38.

#### **CONTRACT FOR BANKING AND INVESTMENT SERVICES AND TO SERVE AS DEPOSITORY OF FUNDS**

City Manager McDanel reported that after a quick review of the bids for banking and investment services, staff requests more time to evaluate them further to determine the lowest and best bid. He recommended No. 22: "Contract for Banking and Investment Services and to Serve as Depository of Funds" on the agenda is tabled until the next City Council Meeting.

Motion was made by Councilman Funston, seconded by Councilwoman Riedel, to table the consideration of entering into a contract for banking and investment services for further review by staff. Upon roll being called the vote was as follows: Councilman Jonagan, yea; Councilwoman Riedel, yea; Councilman Funston, yea; Councilman Moss, yea; Mayor Fall, yea. Motion carried.

#### **TRANSFER STATION TIPPING FEES**

Councilman Moss suggested that the City look for incentives to encourage the use of the City's Transfer Station for businesses, similar to that for demolition of dilapidated structures. He reported that trash from the public schools is being disposed somewhere other than the Maryville Transfer Station because of cost savings. He suggested that others are likely to do the same over time if the City continues to charge a higher rate.

It was noted that the C-TRIP program was substituted with funds budgeted in the General Fund to make up the difference, an agreement is entered into with the property owner that within twelve (12) months construction must begin or the regular transfer station fees will be paid to the City, by the property owner.

It was also noted that the City has Closure/Post Closure costs for the landfill that were considered when setting the fees. During the budget development the user fees will be re-evaluated.

### **2013 INFLOW AND INFILTRATION PROJECT**

The City has budgeted for the current fiscal year three hundred thousand dollars (\$300,000) for smoke testing. Although this is an essential part of identifying troubled areas of inflow and infiltration (I & I) of sewer lines, it was suggested by staff that the funds may be better spent by hiring a company to perform these tests throughout town and provide a detailed report of the areas that are in need of repair. Contracting a company to test the entire system will provide data regarding the amount of I & I per minute for each area. Options of services include smoke testing, videos and photos along with a detailed report. With a full definition of the condition of each portion of the system, staff will be able to invest their time according to rectify the most urgent needs. The proposed contracted investigation work is estimated to take approximately three (3) months, which will be significantly less time than staff is capable of. It was approximated that it will cost \$200,000 to \$225,000 for the investigative service.

The City has an agreement with DNR to spend \$300,000 per year on inflow and infiltration, for a determined number of years. These services qualify as part of the I & I investments. Council gave staff their approval to begin the bid process.

### **BUILDING CODE AND PROCESS REVIEW**

At the May 13, 2013 City Council meeting, staff presented a timeline for updating the building code from the 2006 IBC to the 2012 IBC. The first phase of the update was to “meet with developers/contractors to discuss concerns related to the current building codes”. Since the May meeting, staff has met with seven (7) local development professionals and two (2) local real estate agents. Over the course of these meetings, common themes, concerns, and recommendations began to emerge among all of the development professionals. Each conversation also brought about unique concerns relative to the individuals specific trade. Furthermore, as the conversations continued, the concerns began to trend away from the actual building code and began to highlight areas of improvement within the development process itself. Staff has also analyzed the current development process for areas of improvement.

A summary of the conversations with the local development community, as well as staff analysis of the existing process was presented.

Common concerns included the following items discussed by two (2) or more development professionals during the process.

- At this time, the specific changes that are going to be required in the 2012 building code are relatively unknown. The developers requested that staff provide a summary of the major changes from the 2006 building code to 2012 building code & that an opportunity to comment prior to implementing these changes is provided.
- Require lot surveys.
- Consistency is needed.
- Long-term planning & big-picture thinking (discourage “postage stamp” development).
- Storm water management practices need to be updated.
- Need a “common-sense” approach to implementing codes & code review.
- Provide development review process guidelines (i.e. – review times, hearing dates)

Fire Suppression Systems (sprinklers) requirements for certain types of developments was a common topic of conversation. Many developers stated that this requirement was encouraging the development of duplex style developments and discouraging four-plex and six-plex style developments. In addition, the fire suppression requirement was also noted as a barrier to redevelopment in the downtown. As noted above, development professionals urged a common-sense approach when considering the fire suppression requirements in the new code & recommended considering alternative construction methods in-lieu of requiring these cost-prohibitive systems across the board.

Based on preliminary research, staff has found examples of communities that have modified the Fire Code to meet the unique needs of a particular community. Further research on this item will need to be completed before a comprehensive recommendation can be provided.

Development Potential was addressed specially towards the future growth of Maryville. This topic included:

- CTRIP: felt that this was a good program & would like to see it expanded to other areas of town. Single-family infill development program was noted as a particular need.

- As noted above, development professionals felt there was a need for a focus on long-range planning and looking at the big-picture for development, rather than a “postage-stamp” policy of development.
- Creating standard development guidelines would be beneficial as it would create a level playing field in terms of competition between developers. This would also improve consistency.
- Need more lots for development.
- Create an online system that would allow developers, real estate agents, & general public to access aerial photos, utility layouts, property line dimensions, and general property information.

Overall, meeting with the local development professionals was an excellent exercise as it provided an opportunity for this group to become involved at the outset of a major project that will directly impact their business & this outreach was appreciated. Continued outreach will be essential for successfully implementing code and process changes, maintaining positive relationships and improving these relationships. This was also an excellent opportunity for staff to learn first-hand the perceived obstacles, concerns, and opportunities from the local development professionals.

In addition to meeting with the development professionals, staff has also reviewed & analyzed the current development process for the city. Provided below is a summary of a few of the areas that were identified for potential improvement:

- **Website:** Information regarding development, development processes, development requirements, and development opportunities is difficult to find on the city website. The current website layout has the development information within the Code Enforcement section. In comparison to other communities, development information would typically have its own section within the website & be easily identified.
- **Brochures:** Currently, the city does not provide “cheat-sheets” for specific types of development. For example, requirements for sign permits or fence permits could be provided on a single sheet of paper & offered as a handout. These types of informational handouts can be provided for numerous types of development scenarios.
- **Zoning Ordinance:** Specifically, the definitions portion of the zoning ordinance could be reviewed to ensure the definitions provide detailed and accurate information. For example, the definition for a “non-conforming” use is vague and is open to interpretation. This could potentially lead to issues of providing consistency.
- **Zoning Ordinance:** As noted above in the developers comments, there appears to be a need for infill development opportunities. However, the current structure of the zoning ordinance is intended primarily for standard lot developments & not necessarily for the older, smaller lots in areas of Maryville. An opportunity may exist to explore additional zones or zoning requirements that would improve access to development of these lots. Furthermore, zoning practices such as mixed-use zoning or form-based codes could lead to attractive development opportunity for areas of Maryville.
- **Development Process:** Establishing general process guidelines would be beneficial for the development process. Establishing guidelines would create a timeframe for which developers could expect review comments and ensure staff is providing feedback in a timely manner. Additionally, improving the application by including a checklist of required elements would create a more efficient process as would requiring a pre-submittal meeting with staff prior to official submittal of a project.
- **Design Guidelines:** Implementing design guidelines would allow staff to provide direction and guidance to development professionals at the outset of a project. Design guidelines would also work to establish a minimum expectation of quality of development in terms of site layout, design, and architecture.
- **Staffing:** Current staff is tasked with many different responsibilities. As such, concessions must be made in terms of time that is dedicated to plan review, code enforcement, building inspections, neighborhood outreach, and long term planning. To provide the most efficient use of resources, the overall development process, staff, and community would benefit by having a position dedicated solely to the administration of the development process. This position would also be used as a single-point of contact for developers and residents and would be tasked with responsibilities such as long term planning, grant administration, neighborhood outreach, and project management, and program administration. Functionally, this position would be similar to a Development Services Director found in other communities of similar size.

The Comprehensive Plan provides guidance and direction for many of the above items. Assuming implementation of the developers’ recommendations and staff’s recommendations, the development review process would be transformed to address a majority of the goals and objectives of the Comprehensive Plan. For example, improving the overall development process would address a substantial portion of the objectives of “The Development Vision” section (p. 47-49), “Balanced and Cohesive Residential Neighborhoods” (p. 51-54), “Commercial & Industrial Growth” (p. 54-55), “Balanced Transportation” (p. 64-71), and “Housing” (p. 57-80).



Staff recommended moving forward with the Building Code update according to the schedule presented previously to City Council. As part of the process, staff will provide a “major-change” summary to development professionals and continue to seek their input in the process.

In addition to the Building Code update, staff recommended moving forward with further analysis of current development review practices and researching the best-practices used by other communities. Following this research, staff will provide City Council with specific recommendations for changes and modifications to the current development review process.

### **MOZINGO LAKE RECREATION PARK – GOLF CARS**

At the June 24, 2013, City Council Meeting, Staff presented a proposal to enter into a contract with EZ-Go for a four (4) year period. After testing other company cars, it was thought to be advantageous for the City to bid the golf cart lease service.

Motion was made by Councilman Jonagan, seconded by Councilwoman Riedel, to go out for bid for the leasing of Golf Cars for the Mazingo Lake Recreation Park Golf Course. Upon roll being called the vote was as follows: Councilwoman Riedel, yea; Councilman Funston, yea; Councilman Moss, yea; Councilman Jonagan, yea; Mayor Fall, yea. Motion carried.

### **REPORTS**

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

- Not available for report.

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

- *MML Municipal Governance Institute* - The Missouri Municipal League has announced the creation of the Municipal Governance Institute (MGI) Program to assist in providing officials skill sets to be effective local government leaders. Officials who complete the program will be designated as “Certified Municipal Officials” by the Missouri Municipal League. The program is designed to be completed within two (2) years and participants must complete twelve (12) core area classes, plus four (4) hours of electives. Core requirements include topics such as the Sunshine Law, budgeting, and personnel law. Classes can be attended at various conferences, seminars, workshops, and online. The cost for the program is \$150 and does not include cost of attendance at conferences, workshops, etc.
- *Community & Media Relations Workshop* - North Central Missouri College, in cooperation with Ascend Business Strategies, announced an upcoming training workshop entitled “Community and Media Relations for Crisis and Non-Crisis Events”. The purpose of the workshop is to provide a resource on the basic tenets of effective communications generally and on working with the news media in disaster and non-disaster situations. The class will be held August 22nd from 9:00 a.m. – 4:00 p.m. in Maryville at the Center for Innovation and Entrepreneurship on the Northwest Missouri State University campus. The instructor will be Rodney Long from Ascend Business Strategies and has a fee of \$199 per person.
- *Local Sales Tax Reinstated* - Governor Jay Nixon signed SB23 and SB99 on July 5th that immediately reinstates local sales taxes for vehicles purchased out-of-state or from an individual. Within the next two years, local governments that do not already have a local use tax must provide a chance for citizens to vote on whether to repeal the sales tax. This law benefits municipalities who did not have a use tax and had lost the ability to collect sales taxes on out-of-state or person-to-person sales of motor vehicles.
- *Munn Avenue Improvement Project* -After approving a change order on June 24, 2013, for additional subgrade material, Orr Construction Management has completed the sub-grade preparation of Phase I and is working on Phase II. The roadway segment immediately adjacent to the high school has presented the most difficult sub-grade material to date as drainage in this area continues to be an issue. Plans for construction still reflect paving of Phase I & Phase II being complete by August 15, 2013, and the start of the High School classes. City staff has created a webpage at [www.maryville.org/munnave](http://www.maryville.org/munnave) to provide additional updates as construction moves forward on the project. Residents along the corridor and interested citizens are encouraged to check this page for daily updates.
- *Depot Street Improvement Project* -The first stretch of significant paving on the project was completed Friday, July 12, 2013. Subcontractor Loch Sand & Construction Company poured approximately 900 linear feet of new concrete on the project from 1st Street south along Depot Street. According to the primary contractor, White Cloud Engineering & Construction Company, main line paving should be complete within the next 14 days.
- *Maryville Wastewater Treatment Plant Project* -Bids on the Maryville Wastewater Treatment Plant Project were opened Friday, June 21st at 2:00 p.m. in the City Council Chambers. A total of seven (7) bids were received on the project for construction of the mechanical treatment plant which will comply with new regulations from the

Missouri Department of Natural Resources (DNR) regarding the removal and disinfection of ammonia. HDR Engineering is reviewing bids received and checking references to ensure the City of Maryville selects the lowest and best bid. The project is on a critical construction path with the plant required to be operational by July 1, 2015. A recommendation from City staff and HDR will be presented at the July 22nd meeting for council consideration.

- *Northwest Missouri Regional Airport* -The Northwest Missouri Regional Airport Board will be holding a board meeting during the week of July 15, 2013 to discuss runway improvement plans. Specifically, JVIation has developed two options for the needed pavement rehabilitation work on the airfield pavements. The Board will be reviewing these options along with estimated construction costs and forwarding their recommendation to City Council.
- *Mozingo Lake Recreation Park Golf Course* - On June 26, 2013, Assistant Golf Services Manager Kyle Easter passed his Playing Ability Test (PAT). The PAT is the first and most difficult step to becoming a Certified PGA Professional. It should be noted that out of 15 golfers from across the country, Kyle was the only golfer to pass the PAT in his session. As Kyle has passed the first step, he is officially recognized by the PGA as a PGA Apprentice Head Professional. The next phases of the PGA certification require Kyle to complete course work with an annual trip to Orlando, FL for testing. In the upcoming months, Kyle will be required to learn and pass tests regarding topics such as Golf Cart Fleet Management, Merchandise & Inventory Management, Customer Relations, Tournament Operations, Business Planning, and Player Development Programming. Congratulations to Kyle on achieving this major milestone

### III. Council Members

- Councilwoman Riedel reported that she would be attending a Merchant's Fair the morning of Saturday, August 24, 2013, Northwest Missouri State University by the Bell Tower. If it is raining it will be held inside. She requested a couple other Council Members to participate in promoting Mozingo Lake Recreation Park.
- Mayor Fall presented a Distinguished Budget Presentation Award for Fiscal Year October 01, 2011 thru September 30, 2012, from the Government Financial Officers Association, to the City Manager McDanel and Dir., Finance Town.

### ADJOURNMENT

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

Meeting was adjourned at 9:28 pm.

---

James R. Fall, Mayor

ATTEST:

---

Sheila Smail, City Clerk