

**Maryville City Council**  
**Regular Scheduled Meeting**  
December 23, 2013  
7:00 p.m.

The Council of the City of Maryville, Missouri, met in a regular session on Monday, December 23, 2013, at City Hall, 415 North Market Street, in said City at 7:00 p.m.

**ROLL CALL**

The meeting was called to order by Mayor Fall and roll was called by the City Clerk, with the following present to-wit: Mayor James Fall, Council Members Glenn Jonagan, Renee Riedel and Jeff Funston. Council Member Ronnie Moss was not present. Others present were City Manager Greg McDanel; Asst. City Manager Ryan Heiland; and City Clerk Sheila Smail.

**PLEDGE TO THE FLAG**

The pledge to the flag was led by Mayor Fall.

**INVOCATION**

Mayor Fall 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 Funston, yea; Councilman Jonagan, 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 stand and state their name and address for the record. No persons appeared to be heard.

**PURCHASE OF TURNOUT GEAR FROM FELD FIRE EQUIPMENT, FOR PUBLIC SAFETY DEPARTMENT, FIRE DIVISION**

The City Clerk presented a bill, Bill No. 2013'105 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE,  
MISSOURI TO EXECUTE A CONTRACT WITH FELD FIRE EQ., FOR THE PURPOSE  
OF PURCHASING FIRE TURNOUT GEAR FOR THE MARYVILLE PUBLIC SAFETY  
DEPARTMENT, FIRE DIVISION, MARYVILLE, MISSOURI**

The Fire Division of Maryville Public Safety utilizes a total of twenty-two (22) sets of fire turnout gear to protect fire staff and volunteers. All existing turnout gear sets are deteriorating from age and are in need of replacement. The FY 2014 budget included a total of twenty-four thousand two hundred dollars (\$24,200) to replace eleven (11) sets with the expectation that the remaining gear will be purchased in FY 2015. Bid Proposals were received from fire equipment providers as follows: Feld Fire Equipment, one thousand eight hundred fifty-two

dollars (\$1,852.00); Schumacher Fire Equipment, one thousand nine hundred seventy-six dollars (\$1,976.00); Heiman Inc., one thousand seven hundred twenty-seven dollars (\$1,727.00) per turnout gear set.

After reviewing the bids, the Feld Fire Equipment bid includes the PBI Max outer shell which is a significant upgrade over the other PBI Matrix offerings. PBI Max outer shell offers firefighters the best combination in break open and thermal protection, the strongest shell fabric in the world, and the most flexible fabric in fire service. The PBI Max provides durability, comfort, and the maximum protection in today's market. The PBI Matrix is currently being phased out in the industry for the PBI Max units offered by Feld Fire Equipment. Staff recommends purchasing twelve (12) sets from Feld Fire Equipment who has offered the lowest bid with the highest level of protection. The purchase of twelve (12) sets will total twenty-two thousand two hundred twenty-four dollars (\$22,224) and only require an additional ten (10) sets purchased from the FY 2015 budget.

Staff recommended approval of the proposed ordinance to execute a contract with Feld Fire Equipment for the purchase of twelve (12) sets of fire turnout gear. The timely replacement of turnout gear is crucial to ensure the firefighters are adequately protected and continue providing a high level of service. The upgrade to PBI Max will be a benefit to the Fire Division and the proposed purchase is within budget.

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 Councilwoman Riedel, seconded by Councilman Jonagan, to approve Council Bill No 2013'105, to approve the purchase of twelve (12) sets of fire turnout gear from Feld Fire Equipment. Upon roll being called the vote was as follows: Councilman Funston, yea; Councilman Jonagan, yea; Councilwoman Riedel, yea, Councilman Moss, yea; Mayor Fall, yea. Motion carried.

Said bill was then identified as Ordinance No. 7585 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. 2013-68

**COST APPORTIONMENT AGREEMENT FOR IMPROVEMENT OF HWY 46 FROM MAIN STREET TO DEPOT STREET, HIGHWAYS TRANSPORTATION COMMISSION**

The City Clerk presented a bill, Bill No. 2013'106 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION COST APPORTIONMENT AGREEMENT FOR THE IMPROVEMENT OF HIGHWAY 46 BETWEEN MAIN STREET AND DEPOT STREET, MARYVILLE, MISSOURI**

On September 9, 2013, the City Council approved a Maintenance Agreement with the Missouri Highways and Transportation Commission to exchange responsibilities of Third Street and Depot Street for First Street. Prior to this agreement, the eastern portion of State Highway 46 through Maryville began at the Main & First Street

intersection, traveled north to Third Street, east on Third Street to Depot, and then south on Depot to First Street. The Missouri Department of Transportation (MoDOT) subsequently maintained this section of State Highway 46 and the City maintained First Street from Main east to Depot. The maintenance agreement effectively eliminated the job in State Highway 46 and changed the official designation of the highway to continue through Maryville from east to west along First Street. As a part of the agreement, MoDOT accepted responsibility for First Street from Main to Depot Street for the driving surface only (24 feet) and the City accepted maintenance of the parking lanes along the corridor.

Through ongoing negotiations, MoDOT has agreed to asphalt mill and overlay First Street and has provided a Cost Apportionment Agreement for consideration. According to the agreement, MoDOT will asphalt mill and overlay First Street from Main Street to Depot Street. MoDOT will be responsible for the cost of the twenty-four feet (24') wide driving surface and the City responsible for the cost of the parking areas per the original maintenance agreement.

The total estimated construction cost on the project is one hundred fifty-four thousand nine hundred five dollars and seventy cents (\$154,905.70). Of the total, the City is responsible for thirty-eight thousand eight hundred seventy-four dollars and fifty cents (\$38,874.50) to asphalt overlay the parking areas. The Cost Apportionment Agreement authorizes the use of STP-Small Urban Funds in the amount of thirty-one thousand ninety-nine dollars and sixty cents (\$31,099.60) to reduce the City's contribution to seven thousand seven hundred seventy-four dollars and ninety cents (\$7,774.90) on the project. According to the agreement, the City's share of cost is fixed and will not be adjusted on actual bid costs or other incidental costs for design or inspection.

Staff recommended approval of the proposed ordinance to execute a Cost Apportionment Agreement with the Missouri Highways and Transportation Commission to coordinate participation of cost for the public improvement of State Highway 46 between Main Street and Depot Street. The agreement will allow for a complete asphalt mill and overlay of the roadway and parking areas with the City of Maryville contributing only seven thousand seven hundred seventy-four dollars and ninety cents (\$7,774.90) towards the project. Portions of the roadway are in poor condition and the project can be scheduled by MoDOT as a part of additional overlay efforts in 2014.

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 Jonagan to approve Council Bill No. 2013'106, to execute a Cost Apportionment Agreement with the Missouri Highways and Transportation Commission to coordinate participation of cost for the public improvement of State Highway 46, between Main Street and Depot Street. Upon roll being called, the vote was as follows: Councilman Jonagan, yea; Councilwoman Riedel, yea; Councilman Funston, yea; Mayor Fall, yea. Motion carried.

Said bill was then identified as Ordinance No. 7584 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. 2013-64.

**REPEAL SECTION 212.220, 212.225 AND 212.235, AND ADOPT NEW SECTION 212.220: MOZINGO FEE STRUCTURES**

The City Clerk presented a bill, Bill No. 2013'107 for an ordinance entitled:

**AN ORDINANCE TO REPEAL SECTION 212.220: MOZINGO FEE STRUCTURE-CAMPING, BOATING, CABIN RENTAL; SECTION 212.225: MOZINGO FEE STRUCTURE – GOLF FEES AND PARK FEES; AND SECTION 212.235: RESERVATIONS FOR RV CAMPING SPACES, OF CHAPTER 212: MOZINGO PARK REGULATIONS, ARTICLE I. REGULATIONS – GENERALLY, OF THE MARYVILLE MUNICIPAL CODE AND TO ADOPT A NEW SECTION 212.220: MOZINGO PARK FEE STRUCTURE, MARYVILLE, MISSOURI**

On Wednesday, August 28, 2013, City staff presented the proposed fee structure update during FY14 budget discussions for Mozingo Lake Recreation Park to the Mozingo Advisory Board for their consideration. The Mozingo Advisory Board recommended approval of the proposed fee structure along with the FY14 budget to City Council. In addition, the proposed fee update was presented to City Council during FY14 budget workshops. Included in your packet is a summary sheet for the proposed fees at Mozingo Lake Recreation Park beginning January 1, 2014.

The proposed ordinance was to repeal Section 212:220 Mozingo Fee Structure – Camping, Boating, Cabin Rental, Section 212.225: Mozingo Fee Structure – Golf Fees and Park Fees, and Section 212.235: Reservations for RV Camping Spaces and adopts a new Section 212:220 Mozingo Park Fee Structure. The ordinance effectively creates one section regarding fees which will assist in the revision of the entire Chapter 212 at a later date. Chapter 212; Mozingo Park Regulations is a lengthy and cumbersome chapter of the municipal code due to the natural growth and process changes at Mozingo over the years. Staff recommends the revision of the entire Chapter 212 early next year as a part of the master planning process.

Several driving factors are associated with the proposed rate increase to Mozingo fees. Utility rates continue to increase and subsequently raised 23% this past January. The golf course fees have not been raised in eight (8) years, while the cost of fertilizers and fuel have nearly doubled over this same period. Updating the fees at Mozingo has become critical to offset the increased expenditures and maintain financial stability. It was recommended that if approved, the new fee structure would become effective January 1, 2014. For customers that have already made reservations for 2014, their original reservation rates will remain valid. It is estimated that the new fee structure will result in an additional 9% of revenue over the course of the year.

No rate structure increase was proposed for the Youth Camp area. The area suffers from low occupancy at approximately 16%. Staff will focus on marketing and increasing use of these facilities over the next year.

Staff recommended approval of the proposed ordinance and repeal Section 212.220: Mozingo Fee Structure – Camping, Boating, Cabin Rental, Section 212.225: Mozingo Fee Structure – Golf Fees and Park Fees, and Section 212.235 Reservations for RV Camping Spaces, of Chapter 212 Mozingo Park Regulations and adopt a new Section

220.220: Mozingo Park Fee Structure. Future consolidations are expected for the remainder of Chapter 212: Mozingo Lake Recreation Park Regulations. Staff requested more administrative flexibility with the revision

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 Councilwoman Riedel, seconded by Councilman Funston, to approve Council Bill No 2013'107, to repeal Section 212:220 Mozingo Fee Structure – Camping, Boating, Cabin Rental, Section 212.225: Mozingo Fee Structure – Golf Fees and Park Fees, and Section 212.235: Reservations for RV Camping Spaces and adopts a new Section 212:220 Mozingo Park Fee Structure. Upon roll being called the vote was as follows: Councilwoman Riedel, yea, Councilman Funston, yea; Councilman Jonagan, yea; Mayor Fall, yea. Motion carried.

Said bill was then identified as Ordinance No. 7586 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

## **REPORTS**

### **I. Student Liaison**

- *Not available for Report.*

### **II. City Manager**

- *Munn Avenue Improvement Project (South Ave to Highway V)* - City staff met with contractors of Orr Construction Management, subcontractor SB Wyatt Construction and engineers SK Design Group, Inc. on Monday, December 16, 2013, to discuss remaining items on the project. Construction items remaining include trail completion, school board entrance modification, and all landscaping and restoration on the project. Several utility conflicts remain before proper restoration can begin and the winter weather is not conducive for completion. Staff has determined that the project should be placed on hold until March 15, 2013 at which time the contractor will have two (2) weeks for final restoration. All utility companies with conflicts have been notified to make adjustments prior to this date.
- *Public Art in Downtown* - The third and final art sculpture has been installed on the node along Main Street. 'Hey, Mary Lou!' by artist Lee Leuning is the final leased sculpture selected by the Maryville Public Arts Coalition. In June of 2014, Maryville will begin its affiliation with SculptureOne a rotating art program based in Sioux Falls, South Dakota. Jim Clark of SculptureOne noted that all three (3) artists stated they were impressed with the service and friendliness of the Maryville community.
- *International Town & Gown Association (ITGA) Joint Membership* - The City of Maryville and Northwest Missouri State University have partnered for a Joint Membership to the International Town & Gown Association for 2014. The ITGA provides a network of resources to assist civic leaders, university officials, faculty, neighborhood residents and students to collaborate on common services, programs, academic research

and citizen issues, creating an improved quality of life for all. The Joint Membership is provided at a discounted rate and is another symbol of partnership between the City of Maryville and Northwest Missouri State University.

- *South Main Street Traffic Corridor Study RFQ* – The City of Maryville is seeking proposals from qualified professionals for a preliminary engineering and traffic study for the South Main Street Corridor. The purpose of the study is to determine the best way to serve existing and future travel demands on South Main Street. The general scope of work will include reviewing existing traffic conditions, including lane configurations, signal spacing and timings, traffic control devices, accident patterns and non-motorized facilities. The selected firm will also conceptualize and estimate costs for traffic solutions in the South Main Corridor to include any east-west connector streets between South Avenue and Highway V, as suggested in the Maryville Comprehensive Plan. The Traffic Corridor Study process is estimated to range between four (4) to six (6) months and result in preliminary solutions for council to consider with regards to any large-scale infrastructure improvements. Proposals were accepted until Monday, December 23rd at 10:00 a.m. and will be reviewed by a selection committee comprised of selected city staff, community leaders, and business owners along South Main Street. It is anticipated that a contract with selected firm will be considered by the City Council in January.
- *Corridor Project NAP Tax Credits* - Neighborhood Assistance Program (NAP) tax credits are now available for the 4th Street Corridor Project through Nodaway County Economic Development (NCED). The City of Maryville partnered with NCED to obtain the credits through the Missouri Department of Economic Development (MDED) in an effort to improve the six (6) block corridor from downtown to Northwest Missouri State University. NCED has Three hundred sixty thousand dollars (\$360,000) in 70% Missouri State tax credits which may be purchased in increments of one thousand dollars (\$1,000). Qualified contributors utilizing NAP tax credits include businesses and individuals who operate a sole proprietorship, operate a farm, have rental property or have royalty income, shareholders in an S-corporation, or are a partner in a Partnership or a member of a Limited Liability Company. For more information, please contact NCED at 660-582-4490.
- *Mozingo Lake Recreation Park Master Plan RFQ* – The City of Maryville has issued a Request for Qualifications (RFQ) inviting qualified firms and companies to assist the City in preparing a Master Plan for Mozingo Lake Recreation Park. The purpose of this study is to assess the existing conditions of Mozingo Lake Recreation Park and begin to address the needs (camping facilities, recreation facilities, features, infrastructure, and programming) of anticipated growth. The Maryville Comprehensive Plan and IDM Hotel Study both recommended the development of a 20-year master plan for park facilities. Submittals are due by 5:00 p.m. January 20, 2013 and will be taken to the Mozingo Advisory Board meeting for further discussion.
- *Unsafe and Dangerous Structures* - The unsafe and dangerous structure at 522 S. Walnut was removed by the property owner on December 12, 2013. This address was one of three structures taken to the Board of Code Appeals on October 3, 2013. The other two structures presented to the board were also addressed by property owners. The structure at 212 W. 6th Street was removed by the property owner and 419 E. 3rd Street is being repaired to the City's satisfaction.

- *Citywide Sanitary Sewer Smoke Testing* – Staff is currently negotiating a date in early spring for TREKK to return to Maryville and complete smoke testing services for the entire city. Winter weather conditions and frozen ground can provide inaccurate smoke testing results. City staff reflected this winter shutdown period in the original Request for Proposals when hiring a contractor.
- *Street Sweeper Refurbish* – Truck Component Services took possession of the Centurion Street Sweeper late last week for refurbishment of the unit. The project was approved at the December 9, 2013, City Council meeting and will take approximately 120 days to complete. The refurbishment will restore the sweeper to near new condition at half the cost of a new unit.
- *Generator Project* – Final specifications for the generators are almost complete with a potential bid letting on the project in January. The project will provide generators to four (4) critical sanitary sewer lift stations and one (1) emergency generator to the Public Safety Facility. In emergency situations, backup generator power will ensure the community will remain safe and sanitary sewerage will continue properly through the system. A grant from the Legislative Pre-Disaster Mitigation (LPDM) Program through the Federal Emergency Management Agency (FEMA) will provide one hundred seventy-two thousand, five hundred dollars (\$172,500) toward the project

**III. Council Members**

- *Nothing.*

**ADJOURNMENT**

Motion was made by Councilman Funston seconded by Councilwoman Riedel that the meeting be adjourned. Upon the roll being called, the vote was as follows: Councilman Funston, yea; Councilman Jonagan, yea; Councilwoman Riedel, yea; Mayor Fall, yea. Motion carried. Meeting was adjourned at 7:38 p.m.

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James R. Fall, Mayor

ATTEST:

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Sheila Smail, City Clerk