

**Maryville City Council  
Regular Scheduled Meeting**

April 28, 2014

7:00 p.m.

The Council of the City of Maryville, Missouri, met in a regular session on Monday, April 28, 2014, 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 Renee Riedel and roll was called by the City Clerk, with the following present to-wit: Mayor Renee Riedel, Council Members Rachael Martin, Glenn Jonagan, Timothy Shipley and Jeff Funston. 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, Human Resource Manager Amy Strough, and City Clerk Sheila Smail.

**PLEDGE TO THE FLAG**

The pledge to the flag was led by Mayor Riedel.

**INVOCATION**

Councilman Shipley gave the invocation.

**APPROVAL OF THE AGENDA**

Mayor Riedel requested any changes needed to the agenda, be noted at this time.

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

**CITIZENS TO BE HEARD**

Mayor Riedel 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.

**REQUEST FOR SPECIAL OLYMPIC TORCH RUN EVENT ON MAIN STREET FROM 3<sup>RD</sup> STREET TO KAWASAKI MOTORS**

Each spring the local law enforcement agencies sponsor the Special Olympics Torch Run Event by submitting a request to hold the event, beginning with a proclamation read by the Mayor. Law Enforcement personnel from around the Maryville participate in the event, as well as others.

The requested event is scheduled for Tuesday, May 27, 2014, beginning at 10:00 a.m., beginning on the west side of the Nodaway County Courthouse Square. Participants begin their run on Main Street, in front of the Nodaway County Courthouse, running south on Main Street to Kawasaki. The Public Safety Department was asked to escort the participants, front and back to their destination.

Staff recommended approval of the request to hold the Special Olympics Torch Run on Tuesday, May 27, 2014, at 10:00 a.m.

Motion was made by Councilwoman Martin, seconded by Councilman Shipley to approve the May 27, 2014 Special Olympics Torch Run events sponsored by Maryville Treatment Center and local Law Enforcement Agencies, to begin on the east side of the Nodaway County Courthouse, on Main Street going South to Kawasaki's Road. Upon roll being called the vote was as follows: Councilman Funston, yea; Councilwoman Martin, yea; Councilman Jonagan, yea, Councilman Shipley, yea; Mayor Riedel, yea. Motion carried.

**REQUEST TO HOLD THE CHAMBER OF COMMERCE MARATHON, WITH STREET CLOSURE**

City staff received a request from the Greater Maryville Chamber of Commerce, to hold the annual Maryville Marathon consisting of a marathon, ½ marathon, 10K, and 5K run on Saturday, June 14, 2014, beginning at 6:30 a.m. and concluding around 3:00 p.m. The routes proposed for the various races were depicted on a map. Volunteers have been identified to assist with various needs of the event.

The event coordinators have also requested assistance by Public Safety to assist in traffic control at East First Street and Hwy 71 Bypass. An additional request was made to close West South Avenue from South Walnut to South Munn Avenue, for the safety of the participants.

The Certificate of Liability Insurance had been submitted along with the signed Indemnification and Hold Harmless Agreement. Staff recommended approval of the request made for Maryville marathon, ½ marathon, 10K, and 5K runs hosted by Greater Maryville Chamber of Commerce on June 14, 2014, contingent upon receiving an updated certificate of liability insurance prior to the event.

Motion was made by Councilman Funston, seconded by Councilwoman Martin to approve the June 14, 2014, contingent upon receiving an updated certificate of liability insurance prior to the event. Upon roll being called the vote was as follows:

Councilwoman Martin, yea; Councilman Jonagan, yea, Councilman Shipley, yea; Councilman Funston, yea; Mayor Riedel, yea. Motion carried.

**REQUEST TO HOLD NODAWAY COUNTY FAIR ON SQUARE OF MARYVILLE**

For many years the Nodaway County Fair has been held around the Nodaway County Courthouse Square. This year the event is scheduled for the week of July 15, 2014. An application was received from the Nodaway County Fair Board requesting permission to hold the event upon city streets with the streets being closed on Tuesday, July 15, 2014, at 5:00 p.m. until Sunday, July 20, 2014, at 2:00 p.m., or until cleanup and teardown are complete.

Businesses that may be affected were in the process of being notified. The certificate of insurance valued at one million dollars (\$1,000,000.00), naming the City as an additional insured, has not been submitted but is expected to arrive in June at its renewal date, in advance of the event. The City had received the signed Indemnification/Hold Harmless agreement.

Taking into consideration the County Fair and Parade as part of the city's contribution to the events, the Street Department provides two (2) workers to place the barricades as needed, to block off the necessary streets and to remove the barricades once the fair and parade are over. They are each paid for 3 hours at an estimated overtime cost of \$20 an hour. The estimated cost of services provided by the Street Department is \$120.00. The financial impact for providing staff assistance for the Nodaway County Fair and Parade has on the City is estimated at \$1,020.00.

It was noted that the one hundred (100) block of West 4<sup>th</sup> Street will be unavailable for use due to the 4<sup>th</sup> Street Project. It shall be noted that this area will not be available for the Nodaway County Fair, during that time. Mr. Wallace stated that the Nodaway County Fair Board will work around the change.

As in the past several years, the City was asked to contribute a donation of one thousand five hundred dollars (\$1,500.00) toward the liability insurance premium for the event.

Staff recommended that Council approve the request to hold the Nodaway County Fair, and contributing one thousand five hundred dollars (\$1,500.00) toward the liability insurance, contingent upon the receipt of the certificate of liability insurance, naming the City of Maryville as an additional insured and the signature page signed by area businesses, with streets being closed down at 5:00 pm, on July 15 and reopening on Sunday, July 20, 2014, after rides are disassembled and cleanup is complete.

Motion was made by Councilman Shipley, seconded by Councilwoman Martin to approve the use of city streets around the Nodaway County Courthouse square, to hold the Nodaway County Fair, contingent upon city staff receiving an updated certificate of liability insurance prior to the event and to contribute one thousand five hundred dollars (\$1,500.00) of budgeted funds to the cost of liability insurance for the event. Upon roll being called the vote was as follows: Councilman Jonagan, yea, Councilman Shipley, yea; Councilman Funston, yea; Councilwoman Martin, yea; Mayor Riedel, yea. Motion carried.

**MOZINGO GOLF APPLICATION**

Asst., City Manager Ryan Heiland stated that City Staff has been working with Northwest Missouri State University (NWMSU) students in providing information for the development of a Geographic Information Systems (GIS) application for Mozingo Lake Recreation Park, Golf Course. The NWMSU Instructors gave a brief background of the work done by the students, beginning in 2013. Students present included Gopala Krishna Yarlagadda, Harika Narendra, Garima Dhakal, Santosh Kumar Neela and Sai teja Mandalapu. Two (2) students gave a power point presentation and provided I-phones to the Council Members to show the functionality of the application.

The GIS application enables golfers to determine the distance from the ball to the hole. It also provides a score card, connectivity to Facebook for sharing with friends, tee times, and the ability to access the food menu at the clubhouse, by an I-phone or I-pad. The application is available on-line for free for anyone interested in downloading it.

The Maryville City Council commended the students for their excellent work and achievement.

**MARYVILLE DOWNTOWN IMPROVEMENT ORGANIZATION, INC.**

Matt Gaarder, spoke to the City Council regarding the organization of a Maryville Downtown Improvement Organization. The purpose of the organization is to strengthen the center of the Maryville community by creating a positive image, fostering economic development and revitalizing and preserving the downtown of Maryville, Missouri, while promoting the area as an exciting place to shop, dine, live, work, be entertained, invest and own a business. The organization plans to follow the boundaries established by the "Dream Initiative".

The corporation is a not-for-profit, 501-C3 status. It consists of a nine (9) member board, of which two (2) classes of membership exists. Both individuals and organizations. Members may be any person or party with an interest in the development of Maryville's Downtown. Annual meeting will be held in November of each year to determine the board members for the year for a three (3) year term, beginning January 1, of the following year. It was requested that one (1) member of the City Council serve on the Board.

The Maryville Downtown Improvement Organization will be a separate entity from the Greater Maryville Chamber of Commerce, and will sponsor their own membership, but plan to work with the Chamber in many ways, such as joint marketing, building vacancies, and problem solving.

Matt requested that the City consider at the time of budget planning for the coming fiscal year to support their efforts by contributing fifteen thousand dollars (\$15,000.00) of the thirty-four thousand dollars (\$34,000.00) for members to participate in the Missouri Main Street Program to educate the board on methods of how to fundraise ([www.momainstreet.org](http://www.momainstreet.org)).

The Maryville Downtown Improvement Organization will provide the city with a copy of the agendas and minutes from each meeting.

**AN ORDINANCE TO ABANDON A WATER LINE EASEMENT AND AN EASEMENT FOR SEWER, LOCATED AT 1105 S. MAIN STREET AND TO EXECUTE RELEASE OF EASEMENT DOCUMENTS**

The City Clerk presented a bill, Bill No. 2014'41 for an ordinance entitled:

**AN ORDINANCE TO ABANDON A WATER LINE EASEMENT AND AN EASEMENT FOR SEWER LOCATED AT 1105 SOUTH MAIN STREET AND AUTHORIZE THE MAYOR OF THE CITY OF MARYVILLE TO EXECUTE THE RELEASE OF EASEMENT DOCUMENTS, MARYVILLE, MISSOURI**

A request to abandon a Water Line Easement and an Easement for Sewer was received from RSW Group, LTD, a Texas limited partnership for certain property located at 1105 South Main Street. The request was made in accordance with Article V. Abandonment of City Streets, Alleys, Easements and Rights-of-Way of the municipal code of Maryville. The property is vacant and located at the southeast corner of South Main Street and South Avenue. The requested Water Line Easement and Easement for Sewer are 10' wide, overlap, and run through the middle of the property from east to west.

The request has been reviewed by the Director of Public Works who has determined that the easements no longer have municipal purpose. All utilities on the property have since been relocated to the South Main Street and South Avenue rights-of-way. According to Section 545.20 of the municipal code, a public hearing was held prior to the beginning of this meeting.

Staff recommended approval of the proposed ordinance to abandon a water line easement and an easement for Sewer located at 1105 South Main Street and authorize the Mayor to execute the Release of Easement document the easement. The easement no longer serve a municipal purpose as the utilities have been relocated. Abandonment of the requested easements will improve the vacant lot's potential for economic development.

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 Martin, seconded by Councilman Funston, to approve Council Bill No 2014'41, to abandon a water line easement and an easement for sewer located at 1105 South Main Street and authorize the Mayor to execute the release of easement document the easement. Upon roll being called the vote was as follows: Councilman Shipley, yea; Councilman Funston, yea; Councilwoman Martin, yea, Councilman Jonagan, yea; Mayor Riedel, yea. Motion carried.

Said bill was then identified as Ordinance No. 7619 and was duly passed, adopted and was thereupon signed by the Mayor Pro-Tem and attested by the City Clerk.

**EXECUTE LAND LEASE FOR HANGAR AT NWMO REGIONAL AIRPORT FOR HARBORING AIRCRAFT WITH BILL MEDSKER AND DANNY JOE BROWN**

The City Clerk presented a bill, Bill No. 2014'42 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A LAND LEASE FOR HANGARS WITH BILL MEDSKER AND DANNY JOE BROWN, FOR THE PURPOSE OF HARBORING AIRCRAFT AT NORTHWEST MISSOURI REGIONAL AIRPORT, MARYVILLE, MISSOURI**

On December 12, 2012, City Council approved a resolution to adopt revisions to the Northwest Missouri Regional Airport Land Lease for Hangars and Specifications for Hangar Construction. Changes were made to the land lease to encourage additional hangar construction on the property, which included extending the lease term from ten (10) to twenty (20) years, increasing the rental rates, reducing the premises liability and insurance required, and providing additional rights of entry for city inspections.

Near the end of 2013, all existing lessees at Northwest Missouri Regional Airport were contacted by staff to execute the revised contract. At the January 13, 2014 City Council meeting, six (6) individual leases were approved. Two (2) additional

leases were presented for consideration. Land leases considered by Council were with James D. Cox, for a one thousand one hundred sixty-two (1,162) square foot hangar, bringing in revenue for the City of two hundred fifty-five dollars and sixty-four cents (\$255.64) annually, and a joint hangar between Bill Medsker and Danny Joe Brown for a one thousand six hundred fifty (1,650) square foot hangar, collecting City revenue of three hundred sixty-three dollars (\$363.00) Upon approval the leases commence January 1, 2014 and shall terminate on December 31, 2034. Each rental rate is modified on a five (5) year basis according to the Consumer Price Index (CPI).

Staff recommended approval of the proposed ordinances to execute two (2) Land Leases for Hangars at Northwest Missouri Regional Airport for the purpose of harboring aircraft. Lessees' have executed the revised Land Lease for Hangars contract and provided the proper insurance certificates. Several additional leases remain outstanding and will be presented to council at a later date. The City Attorney worked directly with City Management and the Airport Board to craft the new lease language in late 2012.

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 Martin, seconded by Councilman Funston to approve Council Bill No. 2013'42, to enter into a contract with Bill Medsker and Danny Joe Brown for land lease for hangar where aircraft is harbored. Upon roll being called the vote was as follows: Councilman Funston, yea; Councilwoman Martin, yea, Councilman Jonagan, yea; Councilman Shipley, yea; Mayor Riedel, yea. Motion carried.

Said bill was then identified as Ordinance No. 7620 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. The contract was identified as Contract No. 2014-31.

#### **EXECUTE LAND LEASE FOR HANGAR AT NW MO REGIONAL AIRPORT FOR HARBORING AIRCRAFT**

The City Clerk presented a bill, Bill No. 2014'43 or an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A LAND LEASE FOR HANGARS WITH JAMES D. COX, FOR THE PURPOSE OF HARBORING AIRCRAFT AT NORTHWEST MISSOURI REGIONAL AIRPORT, MARYVILLE, MISSOURI**

Background of this item can be found with Council Bill No. 2014'42.

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 Martin to approve Council Bill No. 2014'43, approving the execution of a contract with James D. Cox for land lease for a hangar to harboring aircraft. Upon roll being called the vote was as follows: Councilwoman Martin, yea, Councilman Jonagan, yea; Councilman Shipley, yea; Councilman Funston, yea; Mayor Riedel, yea. Motion carried.

Said bill was then identified as Ordinance No. 7621 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. The contract was identified as Contract No. 2014-32.

#### **EXECUTE A SIGN AGREEMENT WITH THE FIRST CHRISTIAN CHURCH OF MARYVILLE**

The City Clerk presented a bill, Bill No. 2014'44 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A SIGN AGREEMENT WITH THE FIRST CHRISTIAN CHURCH OF MARYVILLE, MISSOURI**

The City of Maryville has engineered and designed plans for the 4<sup>th</sup> Street Improvement Project, Phase I to functionally and aesthetically improve 4<sup>th</sup> Street between Main Street and Dunn Street. The 4<sup>th</sup> Street Improvement Project, Phase I includes the construction of a ten (10) foot wide concrete trail on the north side of the roadway, safety modification of the Dunn & 4<sup>th</sup> intersection, decorative light poles, benches, landscaping, asphalt mill and overlay, and certain wayfinding elements.

The 4<sup>th</sup> Street Improvement Project plans to significantly upgrade the aesthetic features at the Buchanan and 4<sup>th</sup> Street intersection. Plans indicate that the city-owned lots at the northeast and northwest corner of the intersection, and the First Christian Church lot at the southwest corner of the intersection will have ten (10) foot wide permanent landscaping easements featuring street trees, shrubs, flower plantings, and decorative brick columns to match the downtown streetscape. The project will also feature a 17'-20' tall gateway feature spanning 4<sup>th</sup> Street from the southwest corner to the northwest corner of the intersection. Design plans indicate the archway will include Northwest Missouri State University branding symbolizing the corridor as the gateway to campus.

The lot owned by the First Christian Church at the southwest corner of the intersection currently features a 25' tall advertising billboard not typically found in residential or rural downtown areas. The billboard is owned by Lamar Advertising and is placed at this location through a lease with the First Christian Church. The billboard signage does not conform to code requirements found in Title V. Building and Construction, Chapter 555: Signs and Advertising of the municipal code; however the sign was grandfathered in to the current code.

Ongoing discussions between the City of Maryville and the First Christian Church have resulted in a tentative Sign Agreement to terminate the lease and permanently remove the billboard from the corridor. The lease with Lamar Advertising is up for renewal on May 1, 2015 and the First Christian Church must provide a sixty (60) day advance notice of termination. According to the proposed Sign Agreement, the First Christian Church will provide the termination notice to Lamar Advertising and facilitate the removal of the sign before the renewal date. In consideration for the loss of future revenue, the City of Maryville will pay the church a one-time payment of \$12,000, which is the equivalent of ten (10) years of revenue. The First Christian Church has contacted Lamar Advertising who stated that the dismantling process of the sign could begin as early as February 1, 2015 once notified. If approved, the church has also expressed interest in using these funds to improve/reconstruct the parking area on the vacant lot in conjunction with the 4<sup>th</sup> Street Improvement Project.

According to the proposed agreement, the City would submit a one-time payment to the First Christian Church in the amount of twelve thousand dollars (\$12,000) for the permanent removal of the signage. Due to property owner compliance in FY 2014 approximately \$50,000 remains in the unsafe & dangerous structures line item that could be utilized for this item, as the sign is considered blight.

Staff recommended the approval of the proposed ordinance to execute a Sign Agreement with the First Christian Church to facilitate the removal of billboard signage located at 322 N. Buchannan. Execution of the Sign Agreement will ensure the permanent removal of the billboard before May 1, 2015. The City Council discussed removal of the sign at the regular meeting on March 24<sup>th</sup> and tentatively approved a payment of up to \$12,000 to the First Christian Church as compensation for future lost revenue.

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 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 Martin, seconded by Councilman Jonagan, to approve Council Bill No 2014'44, to terminate the sign lease and permanently remove the billboard from the 4<sup>th</sup> Street corridor. Upon roll being called the vote was as follows: Councilman Jonagan, yea; Councilman Funston, yea; Councilwoman Martin, yea, Mayor Riedel, yea. Motion carried.

Said bill was then identified as Ordinance No. 7622 and was duly passed, adopted and was thereupon signed by the Mayor Pro-Tem and attested by the City Clerk. The contract was identified as Contract No. 2014-33.

**CONTRACT WITH LOCH SAND AND CONSTRUCTION CO., TO PURCHASE CONCRETE FOR PHASE 4, MOZINGO LAKE RECREATION TRAIL**

The City Clerk presented a bill, Bill No. 2014'45 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A CONTRACT WITH LOCH SAND AND CONSTRUCTION COMPANY, INC., FOR THE PURCHASE OF CONCRETE FOR PHASE 4, OF THE MOZINGO LAKE RECREATION PARK TRAIL, MARYVILLE, MISSOURI**

The City of Maryville applied for a grant through the Department of Natural Resources for the Missouri Recreational Trails Program (RTP) in 2013. The City was awarded a \$100,000 grant with a minimum required 20 percent match. The City is providing the matching portion of the grant requirement primarily through in-kind labor & materials, staff time, and equipment use time.

The trail will connect to the existing trail to form a loop will be eight (8) feet wide and approximately 1,752 feet in length. It is estimated that it will take 200 cubic yards of concrete to pave this area and pads for benches that will be located along the trail. Staff has currently completed the majority of the grading and prep work at the site and is now ready to begin pouring concrete to complete the trail. Per requirements of the Recreational Trails Program, staff is required to bid out any purchase items estimated to cost more than \$10,000. Staff completed a Request for Proposals (RFP) per the requirements of the grant and two (2) bidders submitted to supply the concrete for the project. Bids received were from Loch Sand and Construction Company, Inc., for one hundred thirteen dollars (\$113.00) per cubic yard and Allen Ready Mix, for one hundred twenty-two dollars (\$122.00) per cubic yard. By accepting the bid from Loch Sand Construction Company, Inc., the cost of necessary concrete would be approximately twenty-two thousand six hundred dollars (\$22,600.00). This amount will be reimbursed to the City through the Recreational Trails Program grant funding.

Staff recommended approval of the proposed ordinance to execute a contract with Loch Sand and Construction Company, Inc. for the purchase and delivery of two hundred (200) cubic yards of concrete in an amount not-to-exceed \$22,600 for the construction of Phase 4, of the Mozingo Lake Recreation Park Trail.

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 Funston, seconded by Councilwoman Martin, to approve Council Bill No 2014'45, to approve the purchase of concrete through Loch Sand and Construction Company, Inc., for the phase 4, of the Mozingo Lake Recreation Park Trail. Upon roll being called the vote was as follows: Councilman Funston, yea; Councilwoman Martin, yea; Councilman Jonagan, yea; Mayor Riedel, yea. Motion carried.

Said bill was then identified as Ordinance No. 7623 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. 2014-34

**MO HWY AND TRANSPORTATION COMMISSION, TRANSPORTATION ENHANCEMENT FUNDS SUPPLEMENT AGREEMENT, FOR FOURTH ST. IMPROVEMENT PROJECT, PROJECT NO. STP-4304(101)**

The City Clerk presented a bill, Bill No. 2014'46 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION TRANSPORTATION ENHANCEMENT FUNDS (SECOND) SUPPLEMENTAL AGREEMENT, FOR THE FOURTH STREET IMPROVEMENT PROJECT, PROJECT NO. STP-4303(101), MARYVILLE, MISSOURI**

The City of Maryville executed a Missouri Highways and Transportation Commission Transportation Enhancement Funds Program Agreement on February 11, 2013 after the Missouri Department of Transportation (MoDOT) Transportation Enhancement (TE) Committee selected the Fourth Street Improvement Project for up to \$240,000 in funding. On August 26, 2013, the City executed a Supplemental Agreement to the Transportation Enhancement Funds Program Agreement to authorize the negotiated use of an additional \$200,000 in STP-Small Urban funds for the project. The proposed 4<sup>th</sup> Street Improvement Project, Phase I seeks to enhance a six (6) block area between downtown and Northwest Missouri State University. Transportation Enhancement Funds are typically used for pedestrian/trail improvements and STP-Small Urban funds are used for improvements to roads on the MoDOT functional classification system.

The proposed Transportation Enhancement Funds Supplemental Agreement (Second) is written to clarify language included in the previous Supplemental Agreement. In Section (1)(A), the paragraph outlines the federal share for the project of eighty percent (80%) not to exceed the total of four hundred forty thousand dollars (\$440,000), of which two hundred forty thousand dollars (\$240,000) will be TE funds and two hundred thousand dollars (\$200,000) STP-Small Urban funds. Previous language on the federal share percentage was not clear and the MoDOT office in Jefferson City has required 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 Martin, seconded by Councilman Jonagan, to approve Council Bill No 2013'46, to approve the Missouri Highways and Transportation Commission Transportation Enhancement Funds (Second) Supplemental Agreement, for the 4<sup>th</sup> Street Improvement Project, Project No. STP-4303(101). Upon roll being called the vote was as follows: Councilman Jonagan, yea; Councilman Funston, yea; Councilwoman Martin, yea, Mayor Riedel, yea. Motion carried.

Said bill was then identified as Ordinance No. 7624 and was duly passed, adopted and was thereupon signed by the Mayor Pro-Tem and attested by the City Clerk and made a part of the original contract, being Contract No. 2013-04.

#### **MARYVILLE TRANSFER STATION, WEEKEND HOURS**

Staff requested feedback from the City Council regarding opening the Maryville Transfer Station on Saturday mornings once a month during the summer months for this year. It was reported that collectively the city brought in a total of five (5) tons of materials the Saturday's they were open in 2013. Last year the City lost revenue by opening. Staff proposed that the Transfer Station not be opened once a month on Saturday mornings during the summer of 2014. It was discussed that if a storm were to blow through and cause damage to trees, that they could open if needed.

#### **CITY COUNCIL MEETING SCHEDULED FOR MAY 26, 2014**

The second regularly scheduled meeting for May 2014 is scheduled for May 26, 2014, which is also Memorial Day. It was decided that the meeting would be postponed until Wednesday, May 28, 2014, at 7:00 p.m.

#### **REPORTS**

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

- Dannen Merrill stated that the NWMSU Student Senate has not yet selected the Student Liaison for the coming school year. He hoped they would have someone selected by the end of the week
- It was finals week at NWMSU and graduation will be held Saturday, May 3, 2014

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

- *South Main Traffic Corridor Study* - The City of Maryville and SK Design Group, Inc. have kicked off the South Main Traffic Corridor Study and began the public involvement and data collection process. A Community Opinion Survey has now been placed on the project's website at [www.maryville.org/southmain](http://www.maryville.org/southmain). The survey is designed to encourage all Maryville residents and frequent users of the corridor to provide input and identify common concerns or critical issues. SK Design Group, Inc. has begun data collection which includes updating traffic counts, analyzing accident data, spot speed, sight distance, and information contained in the Maryville Comprehensive Plan. It is anticipated that the nine (9) month study will assist in guiding long-term infrastructure investments and future development along the corridor.
- *Phase I, Munn Avenue Trail, STP-4300 (108)* - The City of Maryville is accepting bids for the construction of the Munn Avenue Trail until 10:00 a.m., May 13, 2014. The project consists of a six (6) foot wide concrete trail along Munn Avenue approximately 2,063 linear north feet from South Avenue to Victory Lane. The project is seventy-four and two tenths percent (74.2%) funded by MoDOT Transportation Enhancement (TE) funds which were awarded in 2008. Originally this trail segment was planned for Walnut Street from South Avenue to Lincoln, however it was met with opposition from property owners and created a dangerous pedestrian crossing along South Avenue where sight distance is limited. The new alignment has been well received, improves sight distance at South Avenue, and connects directly to the trail segment on the Munn Avenue Project (South Ave to Highway V).
- *4th Street Improvement Project, Phase I, STP-4303 (101)* – The Missouri Department of Transportation (MoDOT) has now obligated the Transportation Enhancement (TE) and Small-Urban STP funds to be utilized on the project. The City of Maryville will accept sealed bids for construction until 2:00 p.m., Tuesday, May 20th. Bidders are requested to attend the Pre-Bid Conference at 10:30 a.m., Thursday, May 8, 2014, to obtain clarification on project plans and bidding documents. The 4th Street Improvement Project, Phase I includes a ten (10) foot wide concrete shared pedestrian/bicycle path on the north side, decorative street lights, water line replacements, landscaping, and a safety modification of the Dunn intersection. Bid alternates on the project will include a complete asphalt mill & overlay, work along the south side in the commercial areas near downtown, and wayfinding and corridor branding elements.
- *Phase C, 7th & 9th Street Trail Project, STP-9900 (110)* – A Pre-Construction meeting is scheduled with contractor Hoggatt Excavating, Olsson Associates and City Staff for May 8, 2014 at 2:00 p.m. The contractor will begin construction shortly thereafter of an eight (8) foot wide off-street concrete trail from Northwest Missouri State University along 9th Street east to Main Street and from Main Street to Davis Street along 7th Street.
- *Financial Software Upgrade Project* – Almost all of the new software applications are now live, with the exception of “Building Projects” for the code enforcement department. Most recently the trainer for the finance and payroll applications was on-site from March 17, 2014 through April 10, 2014. Remote training for two other product lines

was performed the week of April 21, 2014. Staff continues to work with Tyler Technologies to resolve issues as they arise and to learn the various functionalities of the applications. Staff anticipates rolling out the online utility customer portal in late spring or early summer. This will allow customers to access their account information online and make credit card payments.

- *Generator Project, Request for Proposals (RFP)* – The City of Maryville is seeking bids to provide equipment and installation of five (5) generator sets, automatic transfer switch, sound enclosures, 24 hour fuel tanks, diesel fuel, and start-up services. The Request for Proposals (RFP) is intended to provide a turnkey project and generator installation at four (4) sanitary sewer lift stations and the Maryville Public Safety Facility. Bids will be accepted on the project until May 8, 2014 at 10:00 a.m. local time. In emergency situations, backup generator power will ensure the community can remain safe and sanitary allowing sewage to continue properly through the system. A grant through the Legislative Pre-Disaster Mitigation (LPDM) Program administered by the Federal Emergency Management Agency (FEMA) has been awarded for this project to cover eighty percent (80%) of expenses.
- *Maryville Wastewater Treatment Plant Project* - David Ross Construction will mobilize on April 28, 2014 and are coordinating the remaining project schedule with city staff. The contractor has completed the work on the new force main from the East Lift Station and will begin excavation for the concrete basins as weather permits. The project remains an estimated thirty (30) days ahead of schedule and a change order deduct of \$62,000 is still valid.
- *Sanitary Sewer Smoke Testing* - TREKK Design Group, LLC demobilized on the project for the winter months according to the contract and the inefficiencies with smoke testing with frozen ground. The contractor returned Monday, April 21, 2014 and placed door hangers on the northwest and west side of town. Rain late in the week caused another delay however coordination is underway to proceed. According to the contractor another sixty to seventy-five (60-75) days are required to complete the project, weather permitting. Discussions have begun to potentially add another crew (at no cost) to expedite the remainder of the project.
- *Big Green Move Out* - Northwest Facility Services and Big Brothers Big Sisters of Nodaway County has organized the “Big Green Move Out” to ensure promote sustainability and recycling during the annual move out period of Northwest students. The group has partnered with St. Joseph Habitat for Humanity ReStore, The Ministry Center, and the City of Maryville to keep items out of area landfills. Clothing, media, and household items can be taken to Blue collection bins located in every residence hall or in the campus parking lot along 9th Street. Furniture can be left curbside between Monday, April 28, 2014 and Friday, May 2, 2014 by noon each day to be picked up by St. Joseph Habitat for Humanity. Finally, food collection boxes will be located in every residence hall for The Ministry Center. More details can be found at [www.maryville.org](http://www.maryville.org) on what items will be accepted in the bins and curbside.
- *2014 Citywide Clean Up* – Following the Big Green Move Out, the City of Maryville will hold the 2014 Citywide Clean up May 5, 2014 – May 9, 2014. The weeklong event will feature curbside pickup beginning at 7:00 a.m. for tree limbs, other lawn waste, and furniture not normally picked up by a trash contractor. The City will be also partnering with St. Joseph Habitat ReStore who will collect any items of use throughout the week in conjunction with staff. Items not picked up include: household trash, concrete, masonry materials, construction and demolition waste, tires, lead-acid batteries, paint cans, white goods, and appliances.
- *MVPIP Town Hall Meeting* –Maryville Partners In Prevention (MVPIP) will be holding a Town Hall meeting entitled “Create Change Together!” on Tuesday, April 29th from 6:00 – 8:00 p.m. at the Maryville Community Center. The meeting will discuss high-risk/underage drinking and its impacts on the community.
- *Oak Pointe, Assisted Living Facility & Memory Care* – The new assisted living facility planned along South Country Club Road owned by Clearpath Senior Holdings, LLC has now been given an official name. Oak Pointe at Maryville will be comprised of approximately 37,000 square feet and consist of 46 units (50 beds) for assisted living and memory care. More information can be found at [www.assistedlivingmaryville.com](http://www.assistedlivingmaryville.com) and a tentative groundbreaking event is scheduled for Tuesday, June 3rd at the construction site. A press release will be provided soon announcing the time once coordination is complete.
- *City of Maryville Vehicle Bids* – The Public Safety Department and Mazingo Lake Recreation Park are soliciting bids for the purchase of the following vehicles: a ½ ton regular cab 4x4 full-size pickup truck, and two (2) Police Pursuit Vehicle AWD Sedans. Bids will be accepted until 4:00 p.m. May 5th. All three (3) vehicles were included as replacements in the FY 2014 Budget.
- *Mazingo Lake Recreation Park Master Plan* - RDG Planning & Design was in Maryville on April 21st & 22nd for work related to the Mazingo Master Plan. The Mazingo Advisory Board met on April 21st and RDG was in attendance to begin discussions with the Board and staff. On April 22nd, RDG met with four different groups of



stakeholders throughout the day. In total, there were approximately 35 individuals in the stakeholders groups, including students from Northwest Missouri State University. RDG will be back in Maryville from May 7-9. May 7th will consist of a Mozingo site tour with staff & elected officials. May 8th & the morning of May 9th will consist of individual tours of select locations and RDG staff compiling a preliminary sketch of the master plan. On the afternoon of May 9th from 2-4pm, the public is invited to review the preliminary designs of the Master Plan at the Mozingo Lake Golf Course upstairs conference room.

- *Mozingo Lake Golf Course, GolfNow* - The golf course has recently changed service providers for the golf course portion of the website. Fore! reservations was previously used to host the website and tee sheet reservation system. However, Fore! was recently purchased by GolfNow. GolfNow offers many advantages and should allow staff an opportunity to increase marketing efforts. For example, with our recent partnership with GolfNow, they will be sending out a "Welcome Mozingo" email to their 40,000 customer database in the Kansas City area letting all of the area golfers know where and how they can find Mozingo Lake Recreation Park.
- *Mozingo Lake Recreation Park Advertising* - Mozingo Lake Recreation Park has partnered with 810 Sports Radio & ESPN 1510 out of Kansas City. Sports Radio 810 is the largest all-sports radio station in the United States and broadcasts into Kansas, Missouri, Iowa, Nebraska, & Oklahoma, & has an average daily listenership of approximately 240,000 individuals. Mozingo & 810 have created a package of 15 and 30 second commercials to run 7 days a week as well as a 30 second podcast. We have also focused a portion of the commercials on two particular shows. The Outdoor Guys is a show on ESPN 1510 that airs Thursdays from 4 – 5pm & the Mozingo spots will play multiple times during that timeframe. The Kansas City Golf Guide show plays on Sundays from 9-10am and the Mozingo spots will again play multiple times during that timeframe. Mozingo Lake Recreation Park commercials will begin airing on 810 Sports Radio Monday, April 28th at 6:00 a.m.
- Mozingo Lake was selected in the top 100 bass fishing lakes in the United States according to Bass Master Magazine. Three (3) Missouri lakes were included in the rankings. Table Rock Lake, at #68, Mozingo Lake at #79 and Lake of the Ozarks at #96. The City was not involved in the rankings.

### III. COUNCIL

- Councilman Funston reported that the Mozingo Lake Recreation Park Advisory Board met on April 21, 2014. The Board discussed the development of the Master Plan.

ATTEST:

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Sheila Smail, City Clerk

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Renee Riedel, Mayor