

**Maryville City Council**  
**Regular Scheduled Meeting**  
August 11, 2014  
7:00 p.m.

The Council of the City of Maryville, Missouri, met in regular session on Monday, August 11, 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 Riedel and roll was called by the City Clerk, with the following present to-wit: Mayor Riedel, Council Members Rachael Martin, Jerry Riggs, Tim 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 Works Director 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 Funston gave the invocation.

**APPROVAL OF THE AGENDA**

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

Motion was made by Councilwoman Martin, seconded by Councilman Shipley, 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 Riggs, yea; Mayor Riedel, yea. Motion carried.

**APPROVAL OF MINUTES**

Mayor Riedel requested any changes to the minutes of the City Council meetings held on July 14, 2014 and July 28, 2014; as well as three (3) Council/Staff Work Sessions for budget preparation for Fiscal Year 2015, on July 14, 2014, July 15, 2014 and July 16, 2014.

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

Councilman Riggs abstained from voting because he was not present at the meetings in which the minutes outlined.

**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.

**REQUEST FOR NEIGHBORHOOD BLOCK PARTY, 100 BLK, E. LINCOLN, ROSIE ARCHER**

An application was submitted by Rosie Archer, 121 East Lincoln Street, requesting to close the 100 block of East Lincoln Street to thru traffic on Sunday, September 14, 2014, from 8:00 a.m. until 6:00 p.m., for a

neighborhood gathering. They plan to meet for lunch at 1:00 p.m., and are requesting time for setup and takedown.

According to Section 545.250: Special Events Permitted Upon Public Streets-When; events such as the one submitted by Mrs. Archer, are permissible. Being a private event a certificate of liability insurance will not be required but a signed Indemnification and Hold Harmless Agreement shall be signed and submitted by the requester.

Staff recommended approving the request for the street closure in the 100 block of East Lincoln Street, from Main Street to Market Street, for a Neighborhood Block Party on Sunday, September 14, 2014, from 8:00 a.m. – 6:00 pm.

Motion was made by Councilman Riggs, seconded by Councilman Funston, to approve the request to close the 100 block of East Lincoln Street to thru traffic on Sunday, September 14, 2014, from 8:00 a.m. until 6:00 p.m., for a neighborhood gathering. Upon roll being called the vote was as follows: Councilwoman Martin, yea; Councilman Riggs, yea; Councilman Shipley, yea; Councilman Funston, yea; Mayor Riedel, yea. Motion carried.

### **REQUEST FOR DOWNTOWN SOUNDS EVENT, AUGUST 28, 2014, CHAMBER OF COMMERCE**

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

The Greater Maryville Chamber of Commerce has submitted a request to hold the last of three (3) events for 2014. The event will consist of a community pep rally for the local Spoofhound teams, with a Disc Jockey (DJ) on Thursday, August 28, 2014, at 6:00 p.m.

The request is to close the 300 Block of North Main Street (excluding intersections) by barricading the area to vehicular traffic, beginning at 5:00 p.m. and opened back up after the event, which will be around 8:00 p.m.

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

The Chamber of Commerce has provided the required certificate of liability insurance with the City named as an additional insured, along with the hold harmless agreement.

It was recommended by City Staff that the Council approve the request to hold the final Downtown Sounds event for 2014, on August 28, 2014, at 6:00 p.m.

Motion was made by Councilman Funston, seconded by Councilman Shipley, to approve the request to close the 300 Block of North Main Street (excluding intersections) by barricading the area to vehicular traffic, beginning at 5:00 p.m. and opened back up after the event, which will be around 8:00 p.m., on August 28, 2014. Upon roll being called the vote was as follows: Councilman Riggs, yea; Councilman Shipley, yea; Councilman Funston, yea; Councilwoman Martin, yea; Mayor Riedel, yea. Motion carried.

## **TREASURER'S REPORT**

Dir., of Finance Denise Town reported that during the month of July 2014, the City received non-reoccurring funds from the Internal Revenue Service (IRS) BABS subsidy for 2010 Certificate of Participation issued for water towers, which was reduced by seven and two tenths percent (7.2%) (\$19,589.18).

Non-reoccurring disbursements for the month of July 2014 included payments to David E. Ross - pay estimate #10 for the Wastewater Treatment Plant Improvement Project (\$582,686.72); HDR Engineering – Wastewater Treatment Plant Improvement Project for engineering services (\$30,679.13); Keller Construction Company, for asphalt overlay project (\$187,898.00); Missouri Intergovernmental Risk Management Association for sewer backup claim (\$36,488.44); Orr Construction Management, Munn Avenue Project (\$65,638.46); Trekk Design Group, for smoke testing for intrusion and infiltration (I & I) issues (\$29,063.92).

The City will also be paying Nodayway Contracting for the demolition of the structure at 4<sup>th</sup> Street and North Fillmore Street (\$20,250.00)

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

## **PAYMENT VENDOR SCHEDULE**

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

## **REQUEST OF SUPPORT BY NORTHWEST MISSOURI ENTERPRISE FACILITATION**

Jim Jacoby, Board Member and Keli Morris, Enterprise Facilitator, of Northwest Missouri Enterprise Facilitation (NWMEF), presented to the City Council a summary of the achievements realized by the organization and its clients. Since NWMEF's inception in November of 2006, they have assisted six hundred fifty-five (655) clients, and one hundred fifty-three (153) of them were residents of Nodayway County, which is equals to thirty-six percent (36%).

NWMEF requested that the City consider increasing their support from five thousand dollars (\$5,000) to ten thousand dollars (\$10,000) for the 2015 fiscal budget. It was added that NWMEF would like each city in the region to consider a contribution equal to their population at a rate of one dollar (\$1.00) per person.

Mr. Jacoby thanked the Council for their continued support and asked them to consider their request at the time the City's budget is developed.

Mayor Riedel stated that the City would consider their request for support during the development of the 2015 fiscal year budget.

## **REQUEST OF SUPPORT FOR THE GREAT NORTHWEST DAYS AT THE CAPITAL, CHAMBER OF COMMERCE**

Dir., Melanie Smith, Greater Maryville Chamber of Commerce, stated the Great Northwest Days at the State Capitol is being planned. The event will be the thirteenth (13<sup>th</sup>) year, of a two (2) day legislative trip to meet with Legislators to discuss issues that affect local citizens, business owners and others. The event has been scheduled for February 3 and 4, 2015.

As in past years, the Maryville City Council was asked to consider supporting the event in the amount of fifteen hundred dollars (\$1,500.00).

Dir., Smith also asked for recommendations from the City Council and Staff for subjects most pertinent to speak with the Legislators about, while at the State Capitol.

**AN ORDINANCE TO EXECUTE A SECOND AMENDMENT TO THE OPERATION & MAINTENANCE AGREEMENT WITH PEOPLESERVICE, INC., FOR WATER/SEWER TREATMENT SYSTEMS**

The City Clerk presented a bill, Bill No. 2014'79 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE TO EXECUTE THE SECOND AMENDMENT TO THE OPERATION & MAINTENANCE AGREEMENT BETWEEN THE CITY OF MARYVILLE, MISSOURI AND PEOPLESERVICE, INC., FOR THE MANAGEMENT, OPERATION, AND MAINTENANCE OF THE WATER AND WASTEWATER TREATMENT SYSTEMS, MARYVILLE, MISSOURI**

PeopleService, Inc. is a contract operations company that operates, maintains, and manages water and wastewater systems for municipalities, communities, and industries. The company provides services that are tailored to all aspects of utility management and operations, from water production and distribution to wastewater disposal. PeopleService, Inc. has six (6) regional offices providing services to over 100 clients in the states of Missouri, Iowa, Nebraska, Illinois, and Minnesota.

In May 2006, the City entered into an agreement with PeopleService, Inc. to run the daily operations of the water and sewer treatment plants. PeopleService, Inc., provides all routine operation and maintenance of the City's facilities on a 24/7 basis. The company has proven to be affordable and dependable while still maintaining City "control" over the facilities. Their trained staff has worked closely with our Public Works Director and Water/Sewer Maintenance Division to provide safe and efficient utility services to the citizens of the community. In addition to day-to-day operations, PeopleService, Inc. also provides expertise and assistance with regulatory agencies ensuring proper compliance.

In June 2012, the City of Maryville and PeopleService, Inc. renewed the contract for services for an additional five (5) year term. The five year (5) year fee structure is fixed subject to Consumer Price Index (CPI) adjustments and ensures the City can budget costs appropriately. The contract also includes operation and maintenance of the new Maryville Wastewater Treatment Plant currently in construction.

Section 4.1 of the agreement outlines the current monthly compensation for service at \$65,356. This amount includes a "base amount" of \$250,917 for chemicals anticipated at the facility for the current fiscal year. According to Section 4.4, if the amount of actual chemicals is less than the "base amount", PeopleService, Inc. will include a refund equal to the portion of the base amount that remains. In FY 2014, PeopleService, Inc. has diligently worked to manage our chemical costs and is recommended an amendment to the contract for FY 2015 of, 1) Paragraph 1.3 is amended to increase the annual maintenance/repair fund from \$55,990 to \$57,166 for FY 2015 (2.1% CPI Increase), 2) Paragraph 4.4 is amended to decrease the "base amount" for chemicals from

\$250,917 to \$156,186 for FY 2015 (Reflects 2.1% CPI Increase and proposed reduction of \$100,000), 3) Paragraph 4.1 is amended to decrease the monthly compensation from \$65,356 to \$58,395 for FY 2015 (Overall monthly deduct)

The Second Amendment to the Operations and Maintenance Agreement, amends Sections 1.3, 4.1 & 4.4. The amendments include a 2.1% Consumer Price Index (CPI) increase, yet lowered the overall monthly compensation from 65,356 to \$58,395 due to a savings of \$100,000 in chemical reduction. The overall savings of the Second Amendment is \$83,532 for the FY 2015 Budget compared to FY 2014.

Staff recommended approval of the proposed ordinance to execute the Second Amendment to the Operation & Maintenance Agreement with PeopleService, Inc. for the management, operation, and maintenance of the City's water and wastewater treatment systems. Approval will result in a savings of \$83,532 for the FY 2015 Budget. The savings is a result of the continuous high quality oversight and service PeopleService, Inc. has provided the City of Maryville for several years. City staff continues to work with PeopleService, Inc. to analyze improvements to the system to result in further annual savings.

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 the proposed ordinance to execute the Second Amendment to the Operation & Maintenance Agreement with PeopleService, Inc. for the management, operation, and maintenance of the City's water and wastewater treatment systems. Upon roll being called the vote was as follows: Councilwoman Martin, yea; Councilman Shipley, yea; Councilman Funston, yea; Mayor Riedel, yea; Motion carried.

Said bill was then identified as Ordinance No. 7653 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**RESOLUTION TO ENDORSE THE MARYVILLE DOWNTOWN IMPROVEMENT ORGANIZATION INC.'S PARTICIPATION AND EFFORTS TO REVITALIZE THE DOWNTOWN DISTRICT**

The City Clerk presented a bill, Bill No. 2014'80 for a resolution entitled:

**A RESOLUTION TO ENDORSE THE MARYVILLE DOWNTOWN IMPROVEMENT ORGANIZATION INC.'S PARTICIPATION AND EFFORTS THAT FOLLOW THE FOUR-POINT APPROACH® AND PHILOSOPHY ESTABLISHED BY THE NATIONAL MAIN STREET CENTER TO REVITALIZE THE DOWNTOWN DISTRICT, MARYVILLE, MISSOURI**

In April, the Maryville Downtown Improvement Organization, Inc. received approved Articles of Incorporation from the State of Missouri to become officially registered with the state. In doing so, the group

created a strong, formal and downtown-focused organization consisting of existing businesses and property owners. The Maryville Downtown Improvement Organization, Inc. is in the early phases of organization, however dedicated to create positive and attainable changes in downtown Maryville.

The Maryville Downtown Improvement Organization, Inc., has been in contact with the Missouri Main Street Program for guidance and programming to benefit downtown. The Missouri Main Street Program is administered by the Missouri Main Street Committee whose mission is to enhance the economic, social, cultural and environmental well-being of historic downtown business districts in Missouri. The program utilizes a Main Street Four-Point Approach to revitalization assisting downtown improvement organizations in formal organization, economic restructuring, downtown design, and promotion.

Communities that choose to participate in the Missouri Main Street Program and make use of its training services are encouraged to join the Tier System which recognizes various levels of achievement in revitalization. Each level indicates a level of achievement and Maryville is currently an “Aspiring Community”. The Missouri Main Street Connection offers several 40/60 cost-share grants for training and technical services through a competitive application process. Applications are generally accepted in the fall and spring, however communities are required to submit a Letter of Intent endorsed by the local government. The Maryville Downtown Improvement Organization, Inc. has submitted a Letter of Intent for the Affiliate Grant has now received the approval to submit a full application as an Affiliate Community.

Staff recommended adoption of the proposed resolution to endorse the Maryville Downtown Improvement Organization Inc.’s participation and efforts to revitalize the downtown district. The resolution of endorsement is required by the Missouri Main Street Program’s Affiliate Grant application and ensures the City of Maryville understands the partnership dynamics. Matt Gaarder was in attendance to discuss the resolution and application process further.

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.

A motion was made by Councilwoman Martin, seconded by Councilman Shipley, to approve Council Bill No 2014’80, to adopt the proposed resolution to endorse the Maryville Downtown Improvement Organization Inc.’s participation and efforts to revitalize the downtown Upon roll being called the vote was as follows: Councilman Shipley, yea; Councilman Funston, yea; Councilwoman Martin, yea; Mayor Riedel, yea; Motion carried.

Said bill was then identified as Resolution No. 613 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**AN ORDINANCE TO AUTHORIZE REPAYMENT OF LOAN FINANCING FROM THE *ENERGIZE MISSOURI WATER LOAN PROGRAM***

The City Clerk presented a bill, Bill No. 2014’81 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE TO REPAY THE MISSOURI DEPARTMENT OF**

**ECONOMIC DEVELOPMENT DIVISION OF ENERGY FOR PARTICIPATION IN THE ENERGIZE MISSOURI WATER LOAN PROGRAM, MARYVILLE, MISSOURI.**

In December of 2012, the City of Maryville entered into an agreement with the Missouri Department of Natural Resources to participate in the *Energize Missouri Water Loan* Program for energy savings improvements to the water intake system at Mazingo Lake. PeopleService, Inc. assisted staff in obtaining a low interest loan of one hundred fifty-four thousand twenty-nine dollars (\$154,029), to install energy efficient motors and variable frequency drives (VFDs) on pumps to supply raw water to the Maryville Water Treatment Plant. Annual repayments of the loan under the program were to be derived solely from energy savings or avoided costs.

On May 28, 2014 the City Council hired R/S Electric to complete the project for a total of seventy-eight thousand four hundred ninety dollars (\$78,490.00). The project included the installation of three (3) 100 HP motors, three (3) 100 HP Square Variable Frequency Drives (VFDs), and the needed SCADA programming to run the equipment from the water treatment plant. It is estimated that the project will result in a financial savings of approximately twenty one thousand dollars (\$21,000) annually. The savings estimate was calculated by an engineer from the Department of Natural Resources.

The *Energize Missouri Water Loan* Program provides an eight and one half (8.5) year loan at two and one half tenths percent (2.5%) interest to be repaid by financial savings from electrical expenses. The project is now complete and the City has now received the Fully Agreed Promissory Note for execution. The first loan payment is also due in the amount of ten thousand three hundred ninety-seven dollars and fifty cents (\$10,397.50). Since the project came in well under budget, staff has analyzed the need to continue involvement in the loan program or make full repayment and avoid future interest. Staff has contacted the Department of Economic Development who provides oversight for the program and they are comfortable with payoff in the amount of seventy-eight thousand seven hundred fifteen thousand dollars and seventy nine cents (\$78,715.79), if paid no later than August 14, 2014.

The project was to be financed through the *Energize Missouri Water Loan* Program with an eight and one half (8.5) year loan at two and one half tenths percent (2.5%) interest to be repaid by financial savings from electrical expenses. As a result, funds were included in the FY2014 Budget for one semi-annual principal and interest payment of ten thousand three hundred ninety-seven dollars and fifty cents (\$10,397.50) due on this project. The Water/Sewer Fund has adequate reserves should the City decide to repay the loan and avoid the annual interest costs, which total three thousand six hundred forty-five dollars and sixty-one cents (\$3,645.61) over the life of the loan. It was noted that the project has already lead to energy savings and increased efficiency of the operations at the Maryville Water Treatment Plant.

In order to comply with the rate covenant section of the water/sewer revenue bond documents, the City must establish rates sufficient to provide net revenues available to cover one hundred and ten percent (110%) of that year's debt service requirements. Repaying the loan in full would free up twenty thousand seven hundred

ninety-five dollars (\$20,795) annually in debt service payments from the calculation, while capital purchases are excluded from the calculation.

Staff recommended approval of the proposed ordinance to authorize the repayment of loan financing to the Energize Missouri Water Loan Program in the amount of seventy-eight thousand seven hundred fifteen dollars and seventy-nine cents (\$78,715.79).

Motion was made by Councilwoman Martin, seconded by Councilman Funston, to approve Council Bill No. 2014'81, to authorize the repayment of loan financing to the Energize Missouri Water Loan Program in the amount of seventy-eight thousand seven hundred fifteen dollars and seventy-nine cents (\$78,715.79). Upon roll being called, the vote was as follows: Councilman Shipley, yea; Councilman Funston, yea; Councilwoman Martin, yea; Councilman Riggs, yea; Mayor Riedel, yea. Motion carried.

Said bill was then identified as Ordinance No. 7654 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. The original contract regarding this project was Contract No. 2012-61.

**AN ORDINANCE TO EXECUTE AMENDMENT NO. 2 TO AN AGREEMENT WITH HDR ENGINEERING, INC. FOR ENGINEERING SERVICES AT THE MARYVILLE WASTEWATER TREATMENT PLANT**

The City Clerk presented a bill, Bill No. 2014'82 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE TO EXECUTE AMENDMENT NO. 2, OF AN AGREEMENT BETWEEN THE CITY OF MARYVILLE, MISSOURI AND HDR ENGINEERING, INC., FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE WASTEWATER FACILITY IMPROVEMENT PROJECT, MARYVILLE, MISSOURI**

The City of Maryville entered into an agreement with HDR Engineering, Inc. in 2011 to perform engineering services related to the design of a new wastewater treatment facility. Services provided by HDR included regulatory support services, design, bidding, and construction phase services to ensure the City met a schedule of compliance with the Missouri Department of Natural Resources (DNR) agreed upon in December of 2011.

On July 22, 2013, the City hired David E. Ross Construction Company to construct the facility. During the process of design and construction there have been minor increases and decreases that have resulted in a savings of forty-one thousand dollars (\$41,000) to the project budget.

The contractor has been dealing with a dewatering issue, likely a result of the existing lagoon system, which has slowed construction progress. City staff, HDR and David E. Ross Construction have been working on a potential solution to keep the project within overall budget as well as meet deadlines set by DNR. After careful analysis, it appears the best approach is to adjust the elevations of four (4) structures, which consequently require alternations to the East Lift Station to allow for sufficient pumping capacity. Changes to elevations will require additional engineering services for the wastewater treatment site and Amendment No. 2 with HDR has

been presented for consideration. The proposed fee for the additional work is Thirty-six thousand three hundred seventy dollars (\$36,370).

The changes to the East Lift Station result in a construction contract increase of one hundred eighty thousand one hundred thirty-three dollars (\$180,133) with David E. Ross Construction, however staff had identified a savings to offset this amount. It is recommended that concrete parking lot paving is substituted with granular paving leading to a contract deduct of one hundred eighty-eight thousand five hundred dollars (\$188,500). When combining the existing project savings, HDR Engineering increase, and construction deducts, the project will remain under budget with the approval of this item and following agenda item being Change Order No. 1 with David E. Ross Construction Company.

Approval of the proposed ordinance and execution of Amendment No. 2 to an Agreement with HDR Engineering, Inc. for engineering services at the Maryville Wastewater Treatment Plant in an increased amount not-to-exceed \$36,370 was recommended by City Staff. Approval of the additional engineering services will ensure that the current dewatering issue does not delay the project and critical deadlines imposed by the Missouri Department of Natural Resources.

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 Shipley, to approval of the proposed ordinance and execution of Amendment No. 2 to an Agreement with HDR Engineering, Inc. for engineering services at the Maryville Wastewater Treatment Plant in an increased amount not-to-exceed thirty-six thousand three hundred seventy dollars (\$36,370). Upon roll being called, the vote was as follows: Councilman Funston, yea; Councilwoman Martin, yea; Councilmen Riggs, yea; Councilman Shipley, yea; Mayor Riedel, yea. Motion carried.

Said bill was then identified as Ordinance No. 7655 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. Amendment No. 2 will be made a part of the original contract being Contract No. 2011-50

**AN ORDINANCE TO EXECUTE CHANGE ORDER NO. 1 WITH DAVID E. ROSS CONSTRUCTION COMPANY FOR CONSTRUCTION OF THE MARYVILLE WASTEWATER TREATMENT PLANT**

The City Clerk presented a bill, Bill No. 2014'83 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 DAVID E. ROSS CONSTRUCTION COMPANY, FOR THE CONSTRUCTION OF THE MARYVILLE WASTEWATER TREATMENT PLANT, MARYVILLE, MISSOURI**

On July 22, 2013, the City of Maryville approved a bid from David E. Ross Construction Company for construction of a new wastewater treatment facility in an amount of eleven million four hundred thirty-eight thousand, eight hundred dollars (\$11,438,800). The contractor has worked diligently with HDR Engineering, Inc. to keep the project on schedule and under budget. Currently, the minor changes in scope have resulted in a deduction of forty-one thousand three hundred eighty-nine dollars (\$41,389) to the overall project budget.

Recently, the contractor has been dealing with a dewatering issue, likely a result of the existing lagoon system, which has slowed construction progress. City staff, HDR and David E. Ross Construction have been working on a potential solution to keep the project within overall budget as well as meet deadlines set by DNR. After careful analysis, it appears the best approach is to adjust the elevations of four (4) structures, which consequently require alternations to the East Lift Station to allow for sufficient pumping capacity.

The proposed alterations to the East Lift Station result in a contract addition in the amount of one hundred eighty thousand one hundred thirty-three dollars (\$180,133). City staff, David E. Ross Construction Company, and HDR Engineering, Inc. have identified a series of potential savings to offset this amount and keep the project within budget and on schedule. A substantial savings in the amount of one hundred eighty-eight thousand five hundred dollars (\$188,500) can be obtained by substituting granular paving for concrete paving at the project parking lot. The raising of the project elevation also leads to minor savings associated with excavation and safety features, such as guardrails. The proposed changes above result in an additional \$16,876 deduct to the construction contract. As a result, Change Order No. 1 incorporates all savings to date including changes associated with the work above, for a total deduct amount of fifty-eight thousand two hundred sixty-five dollars and thirty cents (\$58,265.30). The change order also requests a sixty (60) day addition to the completion time for the project. Staff has discussed the issue with the Missouri Department of Natural Resources and all are confident the plant will be operational by July 1, 2015.

Staff recommended approval of the proposed ordinance and execute Change Order No. 1 to the contract with David E. Ross Construction Company to reflect a deduction in an amount of fifty-eight thousand two hundred sixty-five dollars and thirty cents (\$58,265.30) and to extend the contract time by an additional sixty (60) days. As a result, the final completion date would be pushed to May 10, 2015 still leaving City staff and PeopleService Inc. ample time to get the system operational by the July 1, 2015 deadline.

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 Riggs, to approve Council Bill No 2014'83, to execute Change Order No. 1 to the contract with David E. Ross Construction Company to reflect a deduction in an amount of fifty-eight thousand two hundred sixty-five dollars and thirty cents (\$58,265.30) and

to extend the contract time by an additional sixty (60) days. Upon roll being called the vote was as follows: Councilwoman Martin, yea; Councilman Riggs, yea; Councilman Shipley, yea; Councilman Funston, yea; Mayor Riedel, yea. Motion carried.

Said bill was then identified as Ordinance No. 7656 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. Change Order No. 1 will be made a part of the original contract, Contract No. 2013-40.

**AN ORDINANCE TO REPEAL ORDINANCE NO 7651, CALLING FOR AN ELECTION IN NOVEMBER 2014, FOR PARKS AND RECREATION TAX LEVY**

The City Clerk presented a bill, Bill No. 2014'84 for an ordinance entitled:

**AN ORDINANCE REQUESTING A REPEAL OF ORDINANCE NO. 7651, TO CALL FOR AN ELECTION IN THE CITY OF MARYVILLE, MISSOURI.**

The Nodaway County Clerk informed Staff that placing the proposed tax levy increase on the November 4, 2014 ballot would cost Maryville Parks and Recreation between \$13,000 and \$26,000 for election expenses. If the issue were placed on the April 2015 ballot, our portion of the election costs would be approximately \$1,700. The Maryville Park and Recreation Board met and decided it was not in the best interest of the department or the citizens of Maryville to spend this amount on the November 4, 2014 election. The need for funding has not diminished and is actually higher since the newest assessed valuation figures show a decline for this year.

The Maryville Park and Recreation Board would like to pursue this issue for the April 2015 election and hope that the City Council will consider this measure at that time.

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 Riggs, to approve Council Bill No 2014'84, to repeal Ordinance No. 7651, calling for an election on November 4, 2014. Upon roll being called the vote was as follows: Councilman Riggs, yea; Councilman Shipley, yea; Councilman Funston, yea; Councilwoman Martin, yea; Mayor Riedel, yea. Motion passed.

Said bill was then identified as Ordinance No. 7657 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**APPROVE ORDINANCE FOR THE PURCHASE OF A NEW EZ VALVE MACHINE FROM SCHULTE SUPPLY, INC.**

The City Clerk presented a bill, Bill No. 2014'85 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A CONTRACT WITH SCHULTE SUPPLY, INC., FOR THE PURPOSE OF PURCHASING AN EZ VALVE MACHINE FOR THE WATER/WASTEWATER DEPARTMENT, MARYVILLE, MISSOURI**

The Water/Wastewater Department continually runs into problems with not having a working water valve or a valve at all in many locations throughout our distribution system. With the use of the EZ Valve Machine it will allow the crew to install valves in critical areas that will allow for better isolation for water leaks and their repairs. This piece of equipment would allow for valve installation to be completed with normal pressure and without service interruption.

In the past the crews have contracted for valve installation but the cost was high and the result of the valve installed was not one that seemed to meet their needs long term. The crew utilized a different company and brand of equipment called Insta Valve. Since the results were not as good as desired we are not interested in that brand of equipment for purchase. However, we did reach out to them for a quote but did not receive one.

The City received only quote which was received from Schulte Supply, Inc. for forty-nine thousand six hundred seventy-eight thousand dollars and seven cents (\$49,678.07).

The 2014 fiscal year budget included the amount of sixty thousand dollars (\$60,000) for this purchase.

Staff recommended approval of the ordinance for the purchase of the EZ Valve Machine from Schulte Supply, Inc. in the amount stated above.

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 Riggs, to approve Council Bill No 2014'85, to for the purchase of the EZ Valve Machine from Schulte Supply, Inc., at forty-nine thousand six hundred seventy-eight thousand dollars and seven cents (\$49,678.07) Upon roll being called the vote was as follows: Councilman Shipley, yea; Councilman Funston, yea; Councilwoman Martin, yea; Councilman Riggs, yea; Mayor Riedel, yea. Motion carried.

Said bill was then identified as Ordinance No. 7658 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. 2014-51.

**A RESOLUTION TO APPROVE A LOT SPLIT OF PROPERTY LOCATED AT 623 WEST THIRD STREET**

The City Clerk presented a bill, Bill No. 2014'86 for a resolution entitled:

**A RESOLUTION AUTHORIZING A LOT SPLIT OF PROPERTY OWNED BY TIM FARIS, LOCATED AT 623 WEST 3<sup>RD</sup> STREET, MARYVILLE, MISSOURI.**

An application was submitted by Tim Faris for a lot split of property at address 623 West Third Street. The application was to split off an additional strip from his property of approximately 4 feet wide and the length of the property. This small parcel would be added to the property at 611 West Third Street. This was being done to clean-up a landscaping encroachment prior to the sale of the property. The change does not affect any of the codes or create any conflicts or concerns for staff. The lot split meets all requirements per the code.

Staff recommended approval of the proposed resolution for a lot split of property located at 623 West Third Street. The lot split request meets the requirements of the Maryville Municipal Code. Staff recommended approval as presented.

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 Riggs, to approve Council Bill No 2014'86. Upon roll being called the vote was as follows: Councilman Funston, yea; Councilwoman Martin, yea; Councilman Riggs, yea; Councilman Shipley, yea; Mayor Riedel, yea. Motion carried.

Said bill was then identified as Resolution No 610 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**CHANGE ORDER NO. 1 WITH ORR WYATT STREETSCAPES FOR THE CONSTRUCTION OF THE 4<sup>TH</sup> STREET IMPROVEMENT PROJECT, PHASE I, PROJECT NO. STP-4303 (101)**

The City Clerk presented a bill, Bill No. 2014'87 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 ORR WYATT STREETSCAPES, FOR THE CONSTRUCTION OF THE 4<sup>TH</sup> STREET IMPROVEMENT PROJECT, PHASE I, STP-4303 (101), MARYVILLE, MISSOURI**

The City of Maryville has partnered with Northwest Missouri State University to engineer and design improvements to the Fourth Street corridor from Downtown to campus. The project physically and aesthetically enhances the six (6) block area mentioned as a priority in the Maryville Comprehensive Plan and Downtown Strategic Plan.

The 4<sup>th</sup> Street Improvement Project, Phase I includes the construction of a ten (10) foot wide shared bicycle/pedestrian trail along the north side of 4<sup>th</sup> Street from downtown to the university, safety modification at Dunn & 4<sup>th</sup> Street to create a "T" intersection, waterline replacement from Buchannan to slightly west of Walnut Street including all water service lines, meter location adjustments, and fire hydrants, ADA compliant crosswalks and curb ramps, significant landscaping including street trees, decorative light poles and brick pillars to match downtown, parking lot repair and new entrances to city-owned lots at 4<sup>th</sup> & Buchannan , driveway

approaches, stamped concrete strip in commercial areas, storm sewer work, benches, trash receptacles, public art pedestals, NWMSU Gateway entry feature, NWMSU branded light pole medallions, 4<sup>th</sup> Street asphalt mill and overlay and placement of NWMSU Bearcat paw print pavement markings. While the majority of improvements will occur on the north side of 4<sup>th</sup> Street, the project includes matching improvements along the south side from Main to Grand.

On May 28, 2014, the City Council approved a contract with Orr Wyatt Streetscapes for the base bid and all three alternates in the amount of two million one hundred eighty-four thousand sixty-nine dollars and sixty-one cents (\$2,184,069.61) for construction of the 4<sup>th</sup> Street Improvement Project, Phase I STP-4303 (101). The low bid was awarded contingent upon the Missouri Department of Transportation (MoDOT) concurrence. MoDOT concurrence of award was provided and contracts for the project were fully executed on July 2, 2014. A Notice to Proceed was issued to the contractor on July 7, 2014.

The bid from Orr Wyatt Streetscapes was approved with the expectation that SK Design Group, Inc., City, and the contractor would work to identify “value engineering” items to reduce cost of certain line items. These value engineering items include type of waterline, concrete mix, use of concrete in lieu of asphalt areas, and electrical savings for decorative light poles. Change Order No. 1 was presented for consideration to reduce the construction contract to account for those items.

The FY 2014 Budget contains a total of \$1,408,246.84 with a total of \$366,300.44 coming from the General Fund. Several competitive bids received on trail projects this year led to savings in the Capital Improvement Fund to allow additional funds for this project. Change Order No. 1 results in a contract deduct of three hundred eighty-one thousand nine hundred fifty-three dollars and seventy-six cents (\$381,953.76) and the remaining funding sources from NAP funds from Missouri Department of Economic Development (\$389,300); Transportation Enhancement Funds (\$240,000); State Transportation Project (\$200,000); Water/Sewer Funds (\$300,000); Capital Improvement Project (\$174,619.43); General Fund (\$343,406.12); Northwest Missouri State University (\$154,790.30).

Staff recommended approval of the proposed ordinance to execute Change Order No. 1 with Orr Wyatt Streetscapes for the 4<sup>th</sup> Street Improvement Project, Phase I, STP-4303 (101), contingent on approval from the Missouri Department of Transportation (MoDOT). The contractual deduct of three hundred eighty-one thousand nine hundred fifty-three dollars and seventy-six cents (\$381,953.76) formalizes the value engineering line items negotiated with the contractor upon bid award. The contract calls for substantial completion by November 1, 2014; however there are line items such as asphalt and landscaping that will not be conducive for construction near winter weather. It is anticipated that a formal change order to extend the contract time will be presented to council at a later date once progress is made in construction and a final progress schedule is outlined.

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 Riggs, to approve Council Bill No 2014'87 to execute Change Order No. 1 with Orr Wyatt Streetscapes for the 4<sup>th</sup> Street Improvement Project, Phase I, STP-4303 (101), contingent on approval from the Missouri Department of Transportation (MoDOT). Upon roll being called the vote was as follows: Councilman Funston, yea; Councilwoman Martin, yea; Councilman Riggs, yea; Councilman Shipley, yea; Mayor Riedel, yea. Motion carried.

Said bill was then identified as Ordinance No. 7659 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. Change Order No. 1, will be made a part of the original agreement, being Contract No. 2014-39.

## **REPORTS**

### **I. City Manager**

- *South Main Traffic Corridor Study* - A Road Safety Assessment (RSA) was held Thursday, August 7, 2014, on the South Main Traffic Corridor Study Project. The RSA was performed by City Staff, SK Design Group, Inc., MGineering Solutions, and various members of the South Main Committee. The RSA was a formal assessment performed following guidelines suggested by the Federal Highway Administration (FHWA) with the primary goal and objective being safety concerns of the corridor for all road users including vehicular traffic, pedestrians, and bicyclists. The findings will result in a report summarizing immediate improvements that could be implemented along the corridor to improve safety.
- *4<sup>th</sup> Street Improvement Project, Phase I, STP-4303 (101)* - The contractor continues construction of the 4<sup>th</sup> Street Improvement Project, Phase I and more specifically the reconfiguration of the Dunn & 4<sup>th</sup> Street intersection. The intersection and existing triangular right-of-way areas has been demolished and new concrete storm sewer inlets have been placed in the new curb line. Dunn Street has been laid out to tie directly into 4<sup>th</sup> Street to improve vehicular and pedestrian safety along the corridor. The contractor has saw cut areas for waterline replacement and upon delivery of pipe, the contractor will work with city staff to install the new line and provide new service tie-ins. The City of Maryville continues to work closely with Northwest Missouri State University for proper notifications and scheduling on the project.
- *7<sup>th</sup> & 9<sup>th</sup> Street Trail, STP-9900 (110)* - Construction of the 7<sup>th</sup> & 9<sup>th</sup> Street Trail, STP-9900 (110) is now underway by contractor Hoggatt Excavating. The project consists of the construction of a eight (8) foot wide off street trail along 9<sup>th</sup> Street from Northwest Missouri State University east to Main, and along 7<sup>th</sup> Street east from Main to Davis. Hoggatt began construction on July 7<sup>th</sup> and the project is estimated to be 55% complete. Per the contract the project is to be complete by September 1<sup>st</sup>.
- *Insurance Broker Services Request for Qualifications (RFQ)* – The City of Maryville is requesting qualifications for health and welfare insurance broker providing benefit consulting services. The selected consultant will assist the City with all employee benefits including health, dental, and life insurance, AD&D coverage and long-term benefits strategies. All responses to this RFQ must be

submitted in writing no later than Thursday, August 21, 2014 at 5:00 p.m. All responses should be directed to Amy Strough, Human Resources Manager, City Hall, 415 N. Market, Maryville, MO 64468 and clearly marked “Benefits Broker RFQ”. For a complete RFQ and more information, please visit [www.maryville.org](http://www.maryville.org).

- *Safewise Report Announces 50 Safest Cities in Missouri* – The Safewise Report has released its “50 Safest Cities in Missouri” report this week. The report was compiled using most recent FBI crime data from 2012 to analyze and rank cities, which all have a minimum of 4,000 in population. The report focuses on violent crimes (aggravated assault, forcible rape, murder, robbery) as well as property crimes (arson, burglary, larceny-theft, and motor vehicle theft). From there, they calculation focuses on the chances of those crimes happening out of a thousand in order to level the playing field for cities of varying populations. The City of Maryville ranked twenty-first (21<sup>st</sup>) on the list which can be viewed at <http://www.safewise.com/blog/50-safest-cities-missouri/>.
- *GolfCourseArchitecture.Net Article* – This morning an article was published on the Tom Watson designed Jr. Golf Course at Mazingo Lake Recreation Park on Golf Course Architecture, an online media presence for news and views on golf design and development. The article focused on the enthusiasm of project volunteers and key design elements that will make the course unique. GolfCourseArchitecture.net is a well-respected publication in the United Kingdom with a yearly readership of over 50,000 in the region.
- *Mazingo Lake Recreation Park Junior Golf Course* - Rough grading for the Tom Watson designed Junior Golf Course at Mazingo is nearly complete and final grading has begun on several holes. Installation of the irrigation system will begin within the next week. Construction for the course remains on schedule and it is anticipated that the first seeding will occur shortly after Labor Day.
- *Mazingo Lake Recreation Park LWCF Boat Dock Grant* - The Department of Natural Resources has notified the City that Mazingo has been awarded a Land and Water Conservation Fund grant for a dock improvement project. The grant will cover approximately 40% of the cost of a new dock for Mazingo with the City matching 60%. It is anticipated that a new dock will be included in the FY15 budget to be installed in the spring and will provide a 12 slip boat dock for the general area of the RV campgrounds.
- City Manager McDanel requested that the City Council meet at 5:30 p.m., on Monday, August 25, 2014, prior to the next regularly scheduled City Council Meeting, for the purpose of interviewing top submissions to the request for proposal, to select an insurance broker for city employee insurance benefit packet. Council agreed to meet on August 25, 2014, at 5:30 p.m., at City Hall, 415 North Market Street.
- Art Davis, Art Davis Group, LLC, has finalized the development of strategic planning and goal setting plan. A resolution will be brought to the City Council to approve the document.
- Smoke Testing continues, weather permitting. Completion is estimated to be the week following Labor Day.

## II. Council Members

- A Council Member asked when Keller Construction will return to complete the asphalt milling and overlaying project. It was explained that when they were put on hold for the Nodaway County Fair Parade, they moved to another job and will return soon to complete the rest of the City's project.
- Discussion regarding the esthetics of the metal salvage yard located on North Main Street, was had. It was determined that speaking with the property owner may be beneficial in coming up with a solution. Councilman Funston agreed to speak with the property owner and discuss possible solutions to make the site more esthetically acceptable.
- Mayor Riedel encouraged everyone to participate in the final Downtown Sounds Event for 2014 to be held on Thursday, August 28, 2014, at 6:00 p.m., in the 300 block of North Main Street. This event will include a pep rally for the local athletic teams and music will be provided by a D.J.
- Mayor Riedel also reported on Saturday, August 23, 2014, from 9:00 a.m. until noon, there will be a Merchant's Fair will be held to welcome back the Northwest Missouri State University (NWMSU) Students at the Bell Tower. The Maryville City Council Members were encouraged to participate by greeting the students. Councilwoman Martin stated she was planning to attend. Mozingo Lake Recreation Park will also be taking part in the event.

## ADJOURNMENT

Motion was made by Councilwoman Martin seconded by Councilman Funston, that the meeting be adjourned. Upon the roll being called, the vote was as follows: Councilman Riggs, yea; Councilman Shipley, yea; Councilman Funston, yea; Councilwoman Martin, yea; Mayor Riedel, yea. Motion carried. Meeting was adjourned.

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Renee Riedel, Mayor

ATTEST:

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Sheila Smail, City Clerk