

**Maryville City Council**  
**Regular Scheduled Meeting**  
October 27, 2014  
7:00 p.m.

The Council of the City of Maryville, Missouri, met in a regular session on Monday, October 27, 2014, at City Hall, 415 North Market Street, in said City at 7:00 p.m.

**PUBLIC HEARING**

Mayor Riedel opened a public hearing regarding the proposed rezoning of property located at 324 East Fourth Street, owned by Ron Spire. Any person wishing to speak on this subject were asked to stand and give their name and address for the record. No persons appeared to be heard.

The public hearing was closed by the Mayor.

**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 Renee Riedel, Council Members Jerry Riggs, Timothy Shipley, Jeff Funston. Council Member Racheal Martin was not present for the meeting. Others present were City Manager Greg McDanel; Asst. City Manager Ryan Heiland; City Attorney Doug Thomson; Dir., Finance Denise Town; Dir., Public Safety Keith Wood, Dir., Public Works C.E. Goodall and City Clerk Sheila Smail.

**PLEDGE TO THE FLAG**

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.

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

**NODAWAY COUNTY ECONOMIC DEVELOPMENT PRESENTATION, EXEC. DIR. JOSH MCKIM**

Executive Director of Nodaway County Economic Development (NCED), Josh McKim, presented to the City Council accomplishments and plans for improving communications with current businesses, prospective businesses and governmental agencies, in 2015. He added that NCED will be providing quarterly reports to the City Council to keep them informed of what is in the works and what has been accomplished. NCED also plans to hold quarterly meeting of the Plant Managers and Human Resource Managers, of local industries. Determining what type of businesses the City has a shortfall of will help in their search in bringing new businesses to town.

Mr. McKim stated that in 2014 NCED was highly involved in bringing Oak Pointe, Assisted Living Facility and Memory Care, located at 817 South Country Club Road, to the community.

## **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.

Jessie Smith, 511 West 16<sup>th</sup> Street, approached the City Council. Mrs. Smith spoke to the City Council regarding the stormwater that had entered the duplex in which she and her husband own at 706-708 South Market Street. She alleged that the lot south of their property, owned by Gary Aley, had several loads of dirt placed on the lot causing the stormwater to run onto the property owned by the Smith's property, and into the duplex. Mrs. Smith added that because of the change of elevation of the lot south of her property and the heavy rains received, she has experienced water issues two times recently, which she has never had before.

Mrs. Smith reported that she, City Code Inspector Jim Wiederholt, and Gary Aley conversed about a resolution for this issue.

An effort to rectify the issue was made by the property owners by widening the ditch between the two (2) properties, but stormwater entered the duplex a second time.

Mrs. Smith also expressed her concern about the stormwater drainage that comes from the properties west of her property and the property owned by Mr. Aley, in that it appears their stormwater is directed toward 706-708 South Market Street. She added that South Market Street has no Stormwater drainage system which causing pooling of water on Market Street.

City Staff agreed to visit the location to see if they could assist by making a recommendation in redirecting the stormwater drainage in the area.

## **RESOLUTION AUTHORIZING A LOT SPLIT OF PROPERTY LOCATED AT 200 EAST SOUTH AVENUE**

The City Clerk presented a bill, Bill No. 2014'113 for a resolution entitled:

### **A RESOLUTION AUTHORIZING A LOT SPLIT OF PROPERTY LOCATED AT 200 EAST SOUTH AVENUE, MARYVILLE, MISSOURI.**

On September 29, 2014, city staff received a lot split application from Deluxe Manufacturing Operations, LLC, located at 200 East South Avenue that includes 53.69 acres. The lot split would create two parcels, one 12.13 acre tract, and one 41.56 acre tract. The purpose of the lot split is to separate the manufacturing property from the undeveloped agricultural property which would allow a potential sale or lease of the undeveloped parcel.

In accordance with Municipal Ordinance 410.060, a lot split need not be approved by the Planning and Zoning Commission, but shall be approved by resolution of the Council prior to recording. The property is currently zoned M-1. The lot split meets all requirements per the code.

The property is unique in that half of the property lies within the city limits and the other half is outside the city limits. On October 9, 2014, the lot split survey was presented to the Polk Township Planning Commission and was approved.

City Staff recommended approval of the proposed resolution to approve a lot split for property located at 200 East South Avenue.

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 Councilman Funston, seconded by Councilman Riggs, of the proposed resolution to approve a lot split for property located at 200 East South Avenue. Upon roll being called the vote was as follows: Councilman Funston, yea; Councilman Riggs, yea; Councilman Shipley, yea; Mayor Riedel, yea; Motion carried. Said bill was then identified as Resolution No. 618 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**RESOLUTION AUTHORIZING A LOT SPLIT OF PROPERTY LOCATED AT THE INTERSECTION OF E. HIGHWAY 46 AND HIGHWAY 71 BYPASS**

The City Clerk presented a bill, Bill No. 2014'114 for a resolution entitled:

**A RESOLUTION AUTHORIZING A LOT SPLIT OF PROPERTY LOCATED AT THE INTERSECTION OF E. HIGHWAY 46 AND HIGHWAY 71 BYPASS, MARYVILLE, MISSOURI.**

On September 29, 2014, the City Council approved a lot split application from Casey's Marketing Company of Ankeny, Iowa for a 3.46 acre piece of property located along E. Highway 46 and Highway 71 Bypass. The property remains under contract with owners Maryville East Side Development, LLC; however negotiations have determined that the underlying ownership of the entire roadway will be Casey's and not half/half as previously outlined. The previous lot split had not been recorded with the Nodaway County Recorder of Deeds, so the legal description has been modified to reflect the change and a revised lot split resolution is being presented for your consideration.

In accordance with the Municipal Ordinance 410.060, a lot split need not be approved by the Planning and Zoning Commission, but shall be approved by resolution of the Council prior to recording. This location will be utilized for a proposed convenience store with gasoline and diesel fueling. The property is currently zoned M-1. The lot split meets all requirements per the code.

City Staff recommended approval of the proposed resolution for a 3.71 acre lot split of property located at the intersection of E. Highway 46 and Highway 71 Bypass. The lot split request meets the requirements of the Maryville Municipal Code and as such, staff recommends 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 Councilman Riggs, seconded by Councilman Funston, to approve the proposed resolution for a 3.71 acre lot split of property located at the intersection of E. Highway 46 and Highway 71 Bypass. Upon roll

being called the vote was as follows: Councilman Riggs, yea; Councilman Shipley, yea; Councilman Funston, yea; Mayor Riedel, yea. Motion carried.

Said bill was then identified as Resolution No. 619 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**A RESOLUTION TO APPROVE A LOT SPLIT OF PROPERTY LOCATED ALONG HIGHWAY 71 BYPASS**

The City Clerk presented a bill, Bill No. 2014'115 for a resolution entitled:

**A RESOLUTION AUTHORIZING A LOT SPLIT OF PROPERTY OWNED BY MARYVILLE EAST SIDE DEVELOPMENT, LLC, LOCATED ALONG HIGHWAY 71 BYPASS, MARYVILLE, MISSOURI.**

On September 29, 2014, the City Council approved a 4.50 acre lot split of property located along Highway 71 Bypass at the request of property owner Maryville Eastside Development, LLC. During final negotiations of the land transaction, the buyer has requested an additional lot split to facilitate two (2) separate projects. The proposed resolution will create a 2.26 acre lot and a 2.24 acre lot from the original 4.5 acres just north of the planned Casey's development. Access to both economic development projects will be provided from the roadway running adjacent to Casey's off Highway 46/E. 1<sup>st</sup> Street.

In accordance with the Municipal Ordinance 410.060, a lot split need not be approved by the Planning and Zoning Commission, but shall be approved by resolution of the Council prior to recording. The entire property is currently zoned M-1.

City Staff recommended approval of the proposed resolution for a lot split of property located along US Highway 71 owned by Maryville East Side Development, LLC. The additional split will allow the potential buyer to move forward on the first of two planned restaurant projects. The lot split request meets the requirements of the Maryville Municipal Code and as such, staff recommends 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 Councilman Funston, seconded by Councilman Shipley, to approve the proposed resolution for a lot split of property located along US Highway 71 owned by Maryville East Side Development, LLC. 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. 620 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**AN ORDINANCE TO APPROVE REZONING OF PROPERTY AT 324 EAST FOURTH STREET**

The City Clerk presented a bill, Bill No. 2014'116 for an ordinance entitled:

**AN ORDINANCE TO AMEND SECTION 405.040 (THE OFFICIAL ZONING MAP),  
ORDINANCE NO. 4984 (THE ZONING ORDINANCE), REZONING PROPERTY  
LOCATED AT 324 EAST FOURTH STREET, FROM R2-M, SINGLE-FAMILY  
MODIFIED ZONE TO R-4, MULTI-FAMILY RESIDENCE ZONE, MARYVILLE,  
MISSOURI.**

Applicant, Ron Spire, requested to rezone the property located at 324 East Fourth Street from R2-M, Single Family Modified to C-1, Restricted Business District. Mr. Spire would like to rezone the property in order to construct two, four bedroom duplexes. The existing R2-M, Single Family Modified Zone would allow only one duplex with a maximum occupancy of two unrelated persons per unit. If the zone is changed to C-1, Restricted Business District, multiple buildings can be constructed with an increased density of four unrelated per unit. The proposed structures would need to meet all requirements for C-1 Zoning if the proposed zoning is changed.

There are a mix of land uses adjacent to the subject site. The areas north and east of the property are mostly owner occupied single family dwellings with a small mix of rentals. The area south of the subject site are rentals and commercial properties. The area west of the property is multi-family dwellings.

According to the Maryville Comprehensive Plan Future Land Use map, the property directly to the north falls in the medium density residential and low density residential. The areas to the south and the east as low density residential and the properties to the west are low density residential and commercial.

The owner was asking for a C-1, Restricted Business Zoning while proposing a medium density residential use. City Attorney Thomson advised that conditional zoning is not permitted. Conditional zoning is an attachment to a rezoning of conditions that are not spelled out in the text of the zoning ordinance.

The applicant demolished a substandard building on this lot with the intention of constructing new rental properties. This is in compliance with the Comprehensive Plan's intention for infill development. The proposed zoning of C-1, Restricted Business District, is not consistent with the low density residential land use designation in the Maryville Comprehensive Plan. The proposed land use of medium density residential, is compatible with the Maryville Comprehensive Plan.

It was Staff's recommendation that a more appropriate zoning designation would be R-4, Multi-Family Residence Zone. An R-4 Zone would allow construction of this project, while stopping the encroachment of commercial zoning into residential areas, and would actually serve as a buffer to the single family and commercial areas.

City Attorney Thomson had given the opinion that this would not be spot zoning. Section 405.370B states that a parcel of any size may be rezoned to a lower classification when it adjacent to that classification. In this case, it would be permissible to rezone this property to a lower classification than C-1. A lower classification would include an R-4 Zone.

On October 15, 2014 the Planning & Zoning Commission met to make a recommendation on the rezoning. A motion to recommend rezoning the property to C-1, Restricted Business District failed by a vote of 2 for and 3

opposed. A second motion to recommend the rezoning of the property to R-4, Multi-Family was approved unanimously.

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 Riggs, seconded by Councilman Shipley, to rezone property located at 324 East 4<sup>th</sup> Street, as R-4, Multi-Family Residence Zone. Upon roll being called the vote was as follows: Councilman Funston, yea; Councilman Riggs, yea; Councilman Shipley, yea; Mayor Riedel, yea; Motion carried.

Said bill was then identified as Ordinance No. 7681 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT OF OBLIGATION WITH THE MISSOURI DEPARTMENT OF NATURAL RESOURCES**

The City Clerk presented a bill, Bill No. 2014'117 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT OF OBLIGATION WITH THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, MARYVILLE, MISSOURI.**

The Missouri Department of Natural Resources (MDNR) issues permits to operate sanitary landfills, which are governed by the Code of State Regulations. These laws require the City to submit a Financial Assurance Instrument (FAI) for post-closure costs to ensure compliance with these regulations. Municipalities may satisfy the requirements by signing a contract of obligation for the full amount of the approved 30 year post-closure care cost estimates and passing a financial test comprised of various ratios and information. This contract allows MDNR to collect the required amount from any funds being disbursed by Missouri to the City to cover the post-closure care costs should the City be in non-compliance with the State.

MDNR reviews the FAI annually to update it for inflation and requires it be adjusted to reflect the present value of the requirement. The new FAI amount for the City of Maryville is one million nine hundred thirty-one thousand six hundred ninety dollars (\$1,931,690), which represents a decrease of thirty-four thousand three hundred sixty-four dollars (\$34,364) from 2013. This is the first decrease in the FAI, as a result of reaching the sixth (6<sup>th</sup>) anniversary of the post-closure period as defined in the Code of State Regulations. These regulations allow for an annual decrease in an amount equal to the estimated post-closure care cost for the previous twelve (12) months. This agreement is based on the Code of State Regulations and has been in place for a number of years.

Staff recommended approval of the ordinance to execute a Contract of Obligation with the Missouri Department of Natural Resources for purposes of fulfilling the City's financial assurance instrument as required by State law.

The ordinance is an annual formality for the City of Maryville to ensure proper financial management of a landfill closure.

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 Shipley, seconded by Councilman Funston, to execute a Contract of Obligation with the Missouri Department of Natural Resources for purposes of fulfilling the City's financial assurance instrument as required by State law. Upon roll being called the vote was as follows: Councilman Riggs, yea; Councilman Shipley, yea; Councilman Funston, yea; Mayor Riedel, yea; Motion carried.

Said bill was then identified as Ordinance No. 7682 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. 2014-66.

**AN ORDINANCE TO EXECUTE CHANGE ORDER NO. 2 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. 2014'118 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE TO EXECUTE CHANGE ORDER NO. 2, 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 (NWMSU), to engineer and design improvements to the 4<sup>th</sup> Street corridor from Downtown to the NWMSU 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 Buchanan 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> & Buchanan , 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 61/100 (\$2,184,069.61), for construction. 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 included 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 approved on August 11, 2014 reducing the contract amount to one million eight hundred two thousand one hundred fifteen 85/100 dollars (\$1,802,115.85).

The original scope of work in the project bid included the replacement of a water main along 4<sup>th</sup> Street from Buchanan to slightly west of Walnut. Although the entire line appears to have been installed in the 1930’s or 1940’s, the bid ensured that the section of the line would be replaced which has been the focus of frequent repairs. SK Design Group, Inc. engineered a complete waterline replacement along 4<sup>th</sup> Street from Main Street to Dunn Street; however with fund concerns at bid time, the scope of work was reduced.

Orr Wyatt Streetscapes has completed the installation of waterline as bid and has been discussing tie-in concerns to the remaining line. A significant number of residents will be without water for several days west of Walnut Street near Dunn Street and the condition of the existing crossing at Peach Creek is problematic. The remainder of the original line west of Peach Creek lies partially under the new trail segment and partially under the planned asphalt overlay, approximately nine feet (9’) deep. If a break occurs in this section at the current depth, a significant repair hole will be necessary in the new infrastructure. The remaining section of line from Main to Buchanan is also of the same age and roughly the same condition.

Now that all funding sources have been compiled, the project has been successfully awarded on a revised schedule, and the Fiscal Year 2015 Budget has been adopted; staff recommended proceeding with a proposed Change Order No. 2 to complete the new waterline installation along 4<sup>th</sup> Street from Main Street to Dunn Street. While the new waterline will not guarantee issues are completely eliminated, the replacement will significantly reduce the chance of a major leak repair.

The FY15 Budget does not contain the additional one hundred twenty-four thousand four hundred eight dollars and eighty cents (\$124,408.80) necessary to complete Change Order No. 2; however the Water/Sewer Fund has significant fund reserves for this purpose. At FY15 year end, the Water/Sewer Fund balance is anticipated to be four million two hundred thousand dollars (\$4,200,000) or sixty-one percent (61%) of operating costs. Staff believes this fund balance projection is also conservative due to revenue and expenditure estimating.

City Staff recommended approval of the proposed ordinance to execute Change Order No. 2 of a contract 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 addition of one hundred twenty-four thousand four hundred eight dollars and eighty cents (\$124,408.80) is based on line item and unit price bids included in the current contract and will ensure a new waterline along 4<sup>th</sup> Street from Main Street to Dunn Street.



With nearly one and one half million dollars (\$1,500,000), in above ground infrastructure designed to functionally and aesthetically enhance the corridor, staff believes it's crucial to protect the investment from a deteriorated waterline.

The contract calls for substantial completion on the project 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 further 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 Councilman Riggs, seconded by Councilman Shipley, to execute Change Order No. 2 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 Shipley, yea; Councilman Funston, yea; Councilman Riggs, yea; Mayor Riedel, yea; Motion carried.

Said bill was then identified as Ordinance No. 7683 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. Change Order No. 2 was then made a part of Contract No, 2014-39.

**A RESOLUTION FORMALLY ADOPTING THE MOZINGO MASTER PLAN AS THE OFFICIAL PLAN FOR MOZINGO LAKE RECREATION PARK**

The City Clerk presented a bill, Bill No. 2014'119 for a resolution entitled:

**A RESOLUTION OF THE CITY OF MARYVILLE, MISSOURI, FORMALLY ADOPTING THE MOZINGO MASTER PLAN AS THE OFFICIAL PLAN FOR THE MAINTENANCE AND DEVELOPMENT OF MOZINGO LAKE RECREATION PARK, MARYVILLE, MISSOURI.**

In December, 2012, the Maryville City Council adopted the Maryville Comprehensive Plan. Within the Maryville Comprehensive Plan, there are several recommendations and goals regarding Mozingo Lake Recreation Park, including "Develop 20-year master plan for park facilities"

In January & February of 2014, the City released a Request for Qualifications (RFQ) seeking qualified consultants to assist with the completion of the 20-year Mozingo Master Plan. In March, 2014 the City hired RDG Planning & Design out of Omaha, Nebraska as the Mozingo Master Plan consultant.

The Stakeholder group consisted of approximately 35 individuals representing different users groups of Mozingo. Groups represented included Nodaway County Economic Development, Missouri Department of

Conservation, Youth Groups (Boy & Girl Scouts), Equestrian groups, Parks & Recreation, Golfers, RV enthusiasts, Northwest Missouri State University, City Council representatives, and the Mozingo Advisory Board.

The Master Plan document includes an Executive Summary, seven (7) chapters, and Appendix. Items in the appendix include a market analysis study by Ballard King & Associates, a water & waste-water analysis from Olsson Associates, and minutes from the stakeholder meetings. A brief summary of the master plan chapters included:

- *Chapter 1 (Introduction):* Describes the purpose & process for the master plan and identifies the goals of the master plan.
- *Chapter 2 (Park Overview):* Provides the history of Mozingo, cultural resources, and describes existing amenities at Mozingo Lake Recreation Park.
- *Chapter 3 (Public Involvement):* Provides an overview of the public outreach process.
- *Chapter 4 (Evaluation of Needs):* Evaluation of current and future needs of the park and breaks down the park needs into eight (8) distinct categories: Land Use, Natural Resources, Vehicular Circulation, Trail Circulation, Wayfinding, Recreation Facilities, Public Facilities, and Administration Facilities.
- *Chapter 5 (General Recommendations):* This chapter addresses broad improvements that often scan the entire scope of the park and looks at how the park should function as a whole, rather than individual elements. This chapter also addresses park management and policy improvements and addresses mostly existing facilities and land uses.
- *Chapter 6 (Specific Facility Recommendations):* The recommendations in this chapter address the specific facilities across the site and introduce the majority of the proposed new facilities and developments. These recommendations are intended to shape the future for how the park will be improved.
- *Chapter 7 (Implementation):* This chapter presents a summary of the recommendations within the master plan and each recommendation is broken down by the type of effort, the priority for improvement, the priority survey score it received, and potential funding sources that may impact its development.

The City Council budgeted \$60,000 in the FY14 budget towards the completion of the Master Plan and the total cost to date is approximately \$58,000. Moving forward, the master plan provides a guide for development of Mozingo Lake Recreation Park to allow for efficient use of funds based on priorities. Additionally, the master plan will be a useful document when applying for grants as the City will be able to show how the requested funds are part of an overall vision for development of the park. The master plan will serve as a useful document for marketing purposes and for attracting private development, such as a lodge, to Mozingo Lake Recreation Park.

Staff recommended approval of the proposed resolution to formally adopt the Mozingo Master Plan as the official plan for Mozingo Lake Recreation Park. The need for the 20-year Master Plan was clearly identified in the Maryville Comprehensive Plan and over the past 6 months, RDG Planning & Design, city staff, and various stakeholder groups have been working to complete the plan. The Mozingo Master Plan will assist in making the park a regional tourist attraction, allow future development to be completed in a fiscally responsible manner, assist with grant requests, and improve the overall efficiencies of the operations at Mozingo.

The Mozingo Master Plan was presented to the Mozingo Advisory Board at the October 20, 2014, meeting and received a unanimous recommendation to approve the plan.

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 Councilman Riggs, seconded by Councilman Shipley, to formally adopt the Mozingo Master Plan as the official plan for Mozingo Lake Recreation Park. Upon roll being called the vote was as follows: Councilman Funston, yea; Councilman Riggs, yea; Councilman Shipley, yea; Mayor Riedel, yea; Motion carried.

Said bill was then identified as Resolution No. 621 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

### **AN ORDINANCE TO EXECUTE AN ENERGY SYSTEM PURCHASE CONTRACT WITH BRIGHTERGY, LLC**

The City Clerk presented a bill, Bill No. 2014'120 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE AN ENERGY SYSTEM PURCHASE CONTRACT WITH BRIGHTERGY, LLC FOR A LIGHTING RETROFIT PROJECT AT THE MARYVILLE WATER TREATMENT PLANT, MARYVILLE, MISSOURI.**

PeopleService, Inc. and city staff have been working with Brightergy, LLC to perform an energy audit and analyze a lighting retrofit project at the Maryville Water Treatment Plant. Brightergy, LLC operates a program called BrighterSavings which attempts to improve facility lighting while reducing electrical consumption and maintenance, as well as the overall carbon footprint of the facility. Several benefits to installing energy efficient LED lighting include:

- *Lower energy costs.* Compared to incandescent lamps, LED lighting can save up to 84% in energy costs.
- *Longer service life.* Average LED lifetime is 35,000-50,000 hours or the equivalent of more than 10 years thereby reducing long-term materials costs.
- *Less heat generation.* thereby reducing impact on HVAC loads
- *Improved light quality.* Consumers often are accustomed to “warm glow” of incandescent bulbs. LED lighting provides a brighter, cleaner light.
- *Durability.* Unlike regular light bulbs, LED’s will not shatter and do not contain gasses like Mercury or electrodes that can snap.
- *Reduced environmental impact.* Longer product lifetime equates to fewer lights produced, packaged, transported and eventually discarded.

With BrighterSavings energy efficient lighting design, it has been determined that the monthly electric consumption at the Water Treatment Plant can be reduced by 43% and light replacements may be eliminated over the lifetime of the savings.

According to the audit, the total project will cost \$9,300 with 50% of the expenditure returned through an

energy efficient rebate with Kansas City Power & Light (KCP&L). The audit reflects a total savings of \$15,550 over 10 years and the final expenditure of \$4,650 to payback in 2.64 years.

The Fiscal Year 2015 (FY15) Water/Sewer Fund Budget includes \$15,550 for energy efficient upgrades at the Maryville Water Treatment Plant. The proposed Energy System Purchase Contract outlines an initial payment of \$4,650 for the project and another \$4,650 due upon the receipt of the KCP&L rebate of the same amount. Since the project expenditure is anticipated under the \$5,000 threshold, formal bids were not required on the project.

City Staff recommended approval of the proposed ordinance to execute an Energy Systems Purchase Contract with Brightergy, LLC, for a lighting retrofit project at the Maryville Water Treatment Plant. PeopleService, Inc. and city staff had reviewed the BrighterSavings energy audit and concur LED lighting would improve the functionality and efficiency of the facility. Upon approval of the energy efficient rebate with KCP&L, the total expense of \$4,650 is well within the budgeted amount for the project. Staff plans on working with Brightergy, LLC to perform additional energy audits on other city facilities in FY15.

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 Councilman Shipley, to execute an Energy Systems Purchase Contract with Brightergy, LLC, for a lighting retrofit project at the Maryville Water Treatment Plant. PeopleService, Inc. Upon roll being called the vote was as follows: Councilman Riggs, yea; Councilman Shipley, yea; Councilman Funston, yea; Mayor Riedel, yea; Motion carried.

Said bill was then identified as Ordinance No. 7684 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. 2014-67.

**AN ORDINANCE TO EXECUTE AN AGREEMENT WITH THE MISSOURI DEPARTMENT OF CORRECTIONS, DIVISION OF ADULT INSTITUTION, MARYVILLE TREATMENT CENTER, FOR PROVIDING A SUPERVISED WORK RELEASE PROGRAM**

The City Clerk presented a bill, Bill No. 2014'121 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE AN AGREEMENT WITH THE MISSOURI DEPARTMENT OF CORRECTIONS, DIVISION OF ADULT INSTITUTION, MARYVILLE TREATMENT CENTER, FOR PROVIDING A SUPERVISED WORK RELEASE PROGRAM, MARYVILLE, MISSOURI.**

The Missouri Department of Corrections, Divisions of Adult Institutions, Maryville Treatment Center desires to enter into a Supervised Work Release Program Agreement with the City of Maryville for the purpose of providing an offender work program. The program allows certain offenders to gain work skills and knowledge of productive

habits.

Staff has utilized the program with the Maryville Treatment Center successfully for several years which has allowed the diversion of resources to other projects. Renewal of the agreement will allow for up to six (6) offenders, Monday through Friday from 7:30 a.m. to 12:30 p.m. Offenders are allowed to perform ground maintenance, including litter pick up, cutting grass, tree trimming, brush cutting, weed eating, painting, and trash collection. Currently, the Public Works Department uses offenders at the City's transfer station operation and cemetery. Staff that supervises the offenders goes through training that is provided by the Maryville Treatment Center to ensure all regulations are followed per the program.

Staff recommended approval of the proposed ordinance to authorize the agreement with the Missouri Department of Corrections, Division of Adult Institutions, Maryville Treatment Center, for providing a Supervised Work Release Program of Offenders. Our staff has effectively utilized this program as a resource in the past and recommends continuing the mutually beneficial agreement.

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 Councilman Shipley, to authorize the agreement with the Missouri Department of Corrections, Division of Adult Institutions, Maryville Treatment Center, for providing a Supervised Work Release Program of Offenders. Upon roll being called the vote was as follows: Councilman Shipley, yea; Councilman Funston, yea; Councilman Riggs, yea; Mayor Riedel, yea; Motion carried.

Said bill was then identified as Ordinance No. 7685 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. 2014-68.

**AN ORDINANCE TO EXECUTE A CONTRACT WITH ALLIED SYSTEMS, INC. TO PURCHASE A VAUGHAN 30HP CHOPPER PUMP**

The City Clerk presented a bill, Bill No. 2014'122 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A CONTRACT WITH ALLIED SYSTEMS, INC. FOR THE PURCHASE OF A VAUGHAN 30HP CHOPPER PUMP, MARYVILLE, MISSOURI.**

The Southwest Lift Station is a crucial part of the Maryville sanitary sewer collection system. Staff has budgeted to have the electrical/control panel replaced in this year's budget. The pumps from the East Lift Station will also be retrofit for the Southwest Lift Station with Change Order No. 1 to the Waste Water Treatment Plant Project. Both upgrades will be a major improvement for the Southwest Lift Station.

Recently, pumps have tripped out causing concern that the 70 HP pump that was having the problem could be

burned up leaving just a 20 HP pump not capable of keeping up with flow rate in the future. Staff has been routinely inspecting the station to ensure if pumps are tripped that the unit can be placed back in service until another pump is acquired and work can be performed on the control panel.

Through discussions with Allied Systems, Inc., staff felt it is critical to proceed on ordering a new pump, which already could take four to six (4-6) weeks for delivery leaving the station susceptible to problems. Allied Systems, Inc. agreed that if the city placed an order they would bring down a rental pump and install for no additional charge until the new pump arrived.

The new pump will be a 30 HP unit that is capable of being retrofit to three (3) of the city's other lift stations upon transfer of the East Lift Station pumps to the Southwest Lift. The purchase will also alleviate the concern of not being able to get a pump immediately if other issues arise at various lift stations.

The cost of the new 30 HP Vaughan chopper pump is \$15,800 with an additional cost of \$1,000 for delivery and installation. The Fiscal Year 2015 Water/Sewer Fund Budget includes twenty thousand dollars (\$20,000) for pump replacements for lift stations.

City Staff recommended approval of the proposed ordinance with Allied Systems, Inc. for the purchase of a Vaughan 30HP Chopper Pump in a not-to-exceed amount of sixteen thousand eight hundred dollars (\$16,800). The pump will provide for temporary relief at the Southwest Lift Station and provide additional emergency backup for the system.

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 Shipley, seconded by Councilman Funston, to enter into an agreement with Allied Systems, Inc. for the purchase of a Vaughan 30HP Chopper Pump in a not-to-exceed amount of sixteen thousand eight hundred dollars (\$16,800). Upon roll being called the vote was as follows: Councilman Funston, yea; Councilman Riggs, yea; Councilman Shipley, yea; Mayor Riedel, yea; Motion carried.

Said bill was then identified as Ordinance No. 7686 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. 2014-69.

## **REPORTS**

### **I. STUDENT LIAISON**

- *Northwest Hosts Football Game* - Northwest Missouri State University (NWMSU) Football Team will be hosting the game against Missouri Western State University, on Saturday, November 1, 2014, at 1:00 p.m. This will be the Bearcat's final home game for the regular season.

- *Haunted House on Campus* - A haunted house has been constructed in one of the closed dorms. Entry fee for admission is the donation of canned goods.

## **II. CITY MANAGER**

- *4th Street Improvement Project, Phase I* – Orr Wyatt Streetscapes has continues to work along the north side of 4<sup>th</sup> Street. A significant portion of the trail has been laid. Light pole base installation will begin during the coming week to complete the “missing” sections in the trail pouring. The contractor has also began forming the pole bases for the entryway feature at 4th and Buchannan. The entryway sign fabrication is complete and being painted off-site for possible installation this year.
- *4th Street Corridor Project NAP Tax Credits* - Neighborhood Assistance Program (NAP) tax credits remain available for the 4th Street Corridor Project through Nodaway County Economic Development (NCED). The City of Maryville partnered with NCED to obtain the credits through the Missouri Department of Economic Development (MDED) in an effort to improve the six (6) block corridor from downtown to Northwest Missouri State University. NCED has roughly three hundred thousand dollars (\$300,000) in seventy percent (70%) Missouri State tax credits which may be purchased in increments of one thousand (\$1,000). Qualified contributors utilizing NAP tax credits include businesses, individuals who operate a sole proprietorship, operate a farm, have rental property or have royalty income, shareholders in an S-corporation, or are a partner in a Partnership or a member of a Limited Liability Company. For more information, it was made known to contact NCED at 660-582-4490.
- *7th & 9th Street Trail Project, STP-9900 (110)* – Hoggatt Excavating began construction on the project July 7, 2014. Areas of the project have been significantly delayed due to various utility conflicts; however progress is being made. The contractor has completed seeding efforts for completed portions of the trail which includes 9<sup>th</sup> Street from Main State to Northwest Missouri State University. Work continues along 7<sup>th</sup> Street, however several utility conflicts still remain.
- *Munn Avenue Trail Project, STP-4300 (108)* - A final inspection and walkthrough on the project was held on Wednesday, October 15, 2014. The walkthrough was attended by City staff, Snyder & Associates, contractor JD Bishop Construction, and representatives from the Missouri Department of Transportation (MoDOT) were onsite to inspect the final project. Minor deficiencies were found but the contractor will address these within the next few weeks. The project was eighty percent (80%) funded by the Missouri Department of Transportation (MoDOT) Transportation Enhancement (TE) funding and was originally awarded in 2008 to create a trail along South Walnut Street from Crestview Drive to Lincoln Street. The revised route aligns with the Munn Avenue Improvement Project trail and completes a significant portion of the effort north to connect to Northwest Missouri State University.
- *M-PAC Holiday Hunt* - The Maryville Public Art Council (MPAC) has issued a call for artists for the Sixth Annual Holiday Hunt. The event will be from 11:00 a.m. to 5:00 p.m. Sunday, November 23rd at the Maryville Middle School Commons. All artists, crafters and makers are invited to reserve a booth for this

event. All booths are fifty dollars (\$50) and multiple booth requests can be made. Persons interested were encouraged to go log onto [www.maryville.org/publicart](http://www.maryville.org/publicart) or e-mail questions to [MaryvilleHolidayHunt@gmail.com](mailto:MaryvilleHolidayHunt@gmail.com).

- *CGI Communications, Inc. Community Videos* – The City of Maryville is working with CGI Communications, Inc. to produce a series of online videos highlighting all our community has to offer its residents, visitors, and businesses. The short videos will be professionally produced by CGI with a welcome to Maryville video, and three (3) additional videos to showcase various aspects of the community. The videos will be placed on our website at [www.maryville.org](http://www.maryville.org) and examples of such videos can be found at [www.mayors.tv](http://www.mayors.tv). CGI Communications, Inc. is a partner with the National League of Cities (NLC) to ensure there is no cost to the City of Maryville for this service. CGI Communications, Inc. will also be reaching out to local businesses to see if they want additional online videos created for their business as sponsors for the project. A videographer from CGI will be in Maryville on October 24th, 25th, & 27th to shoot film for edit.
- *Public Works Street Sweeper* – The Public Works Department has accepted the delivery of the refurbished 2002 Centurion Street Sweeper from Truck Component Services. The company was hired in December, 2013 to refurbish and upgrade all aspects of the current machine. After several deliveries of an unsatisfactory unit, Truck Component provided the unit meeting all inspection requirements. Due to the delay of delivery, city staff has opted to accept liquidated damages per the contract and extend the warranty on the unit. The final price is \$105,500 instead of \$108,000 with an additional three (3) year warranty on parts (including parts not typically covered) and an additional one (1) year warranty on labor. The sweeper is currently operating well and has had no issues since final delivery.
- *South Ave & South Main Traffic Signal* – The radar vehicle detection system for the intersection of South Avenue and South Main has been ordered from Mid American Signal, Inc. The delivery of equipment is estimated for mid-November and installation will be scheduled accordingly. According to the South Main Traffic Corridor Study, the improved system may reduce vehicle delay at this location from an average of 160 seconds to 42 seconds per vehicle.
- *Mozingo Lake Recreation Park, October 25th Events* - Saturday, October 25, 2014 was a busy day for Mozingo Lake Recreation Park. Activities started early in the morning with the Hy-Vee 7-mile & 5k trail run. The trail run was followed up by a post-race celebration that included live music, race sponsors, and Hy-Vee BBQ. The increasingly popular Haunted Campground was held Saturday afternoon & evening and marked the 8th annual event. For this event, the RV parks were both sold out starting Wednesday evening until Sunday – a total of 95 RV spaces.
- *Tom Watson designed Junior Golf Course at Mozingo Lake Recreation Park* - With the stretch of good weather, the golf course construction crew has made excellent progress. To date, holes 2-6 are completed, seeded, irrigation started, and grass is already starting to show. Holes 2-6 are now the responsibility of the



City. Hole 7 will be seeded on Monday or Tuesday and, assuming the weather continues to cooperate, the course should be completed by November 1, 2014.

- *Mozingo Lake Recreation Park – Mozingo Golf Course* - The Mozingo Lake Golf Course began a partnership with www.golfnow.com this past spring when the company acquired FORE! as our online tee time reservation provider. Based on user comments, Mozingo has earned a 5 star rating (out of 5 stars) on GolfNow.com and is listed on the homepage of the Kansas City area golf courses. Over 50,000 people a month access the Kansas City webpage for golf deals during the peak season. Some examples of the comments left by users include: *“Nice to see they are adding a golf course for our future golfers”*; *“Very friendly staff and beautifully maintained grounds - very clean”*; *“The finest golfing in NW Missouri. Well worth the trip. Challenging, yet very playable”*; *“This was likely the best municipal course I have ever played (other than Torrey Pines)”*; *“I’ll be back in the future years during fishing and camping trips to Mozingo Lake!!”*; *“Great course, nice scenic lake views, challenging, great staff, nice carts”*; *“I have since played several courses in the Kansas City area and around the state and non out do Mozingo. Everything about Mozingo is done the right...from the condition of the course, to the kind and friendly staff. I have only had great experiences playing at Mozingo and would highly recommend the drive to Maryville to check it out!”*. Great praise from previous customers & all have been posted within the past six (6) months.
- *Big Bam, Bicycle Across Missouri* – Along with the City’s contribution of twenty-five hundred dollars (\$2,500), community businesses and organizations donated the remaining twenty-five hundred dollars (\$2,500), necessary to host the Big Bam Bicycle Across Missouri event, making Maryville one of the overnight stops for the group of bicyclists coming through Maryville. Hosting the event requires the sponsor(s) to provide amenities but gives the community a chance to draw over a thousand bicyclist enthusiasts and others inside and outside the Maryville Community to join in on the festivities in the Downtown are.

### III. COUNCIL

- *Nothing.*

### ADJOURNMENT

Motion was made by Councilman Riggs seconded by Councilman Funston, that the meeting be Adjourned. Upon the roll being called, the vote was as follows: Councilman R i g g s , yea; Councilman Shipley, yea; Councilman Funston, yea; Mayor Riedel, yea. Motion carried.

Meeting was adjourned at 8:42 p.m.

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Renee Riedel, Mayor

ATTEST:

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Sheila Smail, City Clerk