

Maryville City Council
Regular Scheduled Meeting
December 8, 2014
7:00 p.m.

The Council of the City of Maryville, Missouri, met in regular session on Monday, November 10, 2014, at City Hall, 415 North Market Street, in said City at 7:00 p.m.

PUBLIC HEARINGS: Proposed Voluntary Annexation of Kawasaki Motors Manufacturing Corporation, USA

Mayor Riedel opened a public hearing regarding the proposed voluntary annexation of Kawasaki Motors Manufacturing Corporation, USA. Any person wishing to speak on this subject was asked to stand and give their name and address for the record.

Vice President Steve Bratt, Kawasaki Motors Manufacturing Corporation, USA, stated that Kawasaki Motors Manufacturing, Inc., USA, felt it was time to become more of a part of the community by volunteering to annex. Mr. Bratt was present to answer questions related to the proposed annexation.

City Manager McDanel spoke briefly on the potential financial benefits of the proposed voluntary annexation.

Dir., Park and Recreation Rod Auxier and Dir., Maryville Public Library Stephanie Patterson spoke of their appreciation of Kawasaki's decision to voluntarily annex into the city limits of Maryville.

Dr. John Jasinski, President of Northwest Missouri State University (NWMSU) expressed the University's appreciation of the proposed voluntary annexation of Kawasaki Motors Manufacturing Corporation, USA.

With no further discussion, 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 Rachael Martin, Gerald Riggs, Jeff Funston, and Timothy Shipley. Others present were City Manager Greg McDanel; Asst., City Manager Ryan Heiland; Dir., Finance Denise Town; Dir., Public Safety Keith Wood, Human Resource Manager Amy Strough, Student Liaison Danner Merrill 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 Councilman Riggs, seconded by Councilwoman Martin, that the agenda be approved as presented. Upon roll being called, the vote was as follows: Councilman Shipley, yea; Councilman Funston, yea; Councilwoman Martin, yea; Councilman Riggs, yea; Mayor Riedel, yea. Motion carried.

APPROVAL OF MINUTES

Mayor Riedel requested any changes to the minutes of the regularly scheduled City Council meetings held on November 10, and 24, 2014, be noted at this time.

Motion was made by Councilwoman Martin, seconded by Councilman Funston, that the minutes be approved 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.

CITIZENS TO BE HEARD

Mayor Riedel welcomed citizens and stated this the time for persons to address the Council on items not on the agenda. Any persons wishing to speak were requested to stand and state their name and address for the record.

No persons appeared to be heard.

TREASURER'S REPORT

Dir., Finance Denise Town reported that during the month of November 2014, the City received non-reoccurring funds from the Missouri Department of Transportation for grant project reimbursements: request #2 on the 4th Improvement Project (\$ 225,939.45); request #10, of the 7th and 9th Street Trails Project (\$41,696.53); Request #11 of the 7th and 9th Street Trails Project (\$23,079.19); request #12 of the 7th and 9th Street Trails Project (\$12,587.37) and CenturyLink provided the 911 Phone surcharge for the 3rd Quarter (\$24,758.37) .

Non-reoccurring disbursements for the month of November 2014 included payments to David E. Ross, pay estimate #14 on the Wastewater Treatment Plant Improvement Project (\$1,075,955.49); HDR Engineering, Wastewater Treatment Plant Improvement Project for engineering services (\$30,782.88); Nodaway County Economic Development (NCED) – Annual contribution (\$60,000); Orr Construction – Final Due on Munn Street Project (\$70,448.95); Orr Construction – pay estimate #3 on 4th Street Improvement Project (\$218,275.68); Schulte Supply – water meters & materials for various projects (\$30,391.67); UMB Bank – Principal on 2008 COP Issue (Street Improvements); UMB Bank – Interest on 2008 COP Issued (\$12,462.50).

Motion was made by Councilman Riggs, seconded by Councilwoman Martin, to approve the Treasurer's Report as presented. Upon the 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.

PAYMENT VENDOR SCHEDULE

Motion was made by Councilman Shipley, seconded by Councilwoman Martin, to approve the payment of bills, as presented. 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.

DISCUSSION: MUNICIPAL COURT SURCHARGE, BY ROBERT RICE

Nodaway County Prosecuting Attorney addressed the Maryville City Council regarding consideration of a four dollar (\$4.00) surcharge to be added to all municipal cases in the Circuit Court of Nodaway County, Missouri, Maryville Municipal Division, to raise funds specifically for operating expenses of the Children and Family Center of Northwest Missouri for battered persons. According to Section 488.607 RSMo, the funds raised would be from offenders guilty of municipal offenses in Maryville, Nodaway County, Missouri. A person acquitted, or a case later dismissed, would not have to pay the fee.

It was estimated that if an ordinance was adopted and the same number of cases were filed as in 2013, the amount collected through Municipal Court would be approximately six thousand four hundred forty-four dollars (\$6,444.00).

Prosecuting Attorney Rice stated that the Nodaway County Commission had approved the legislation for all criminal cases allowable.

Mayor Riedel stated that the City Council would take the recommendation into consideration at a future meeting.

AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT WITH WHITE CLOUD ENGINEERING AND CONSTRUCTION COMPANY, INC. FOR UPDIZING A SANITARY SEWER LIFT STATION

Councilman Funston recused himself from the Council Chambers for the discussion and vote of Council Bill 2014'134, because of his past employment with White Cloud Engineering and Construction, Company, Inc.

The City Clerk presented a bill, Bill No. 2014'134 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A CONTRACT WITH WHITE CLOUD ENGINEERING AND CONSTRUCTION COMPANY, INC., FOR UPSIZING A SANITARY SEWER LIFT STATION

On September 30, 2013, the City Council approved a voluntary annexation of twenty-nine (29) acres owned by Sarah J. Arnold, as Trustee of the Sarah J. Arnold Trust to facilitate the construction of Oak Pointe Assisted Living & Memory Care and a potential single-family housing project. Oak Pointe is a six million dollar (\$6,000,000), thirty-seven thousand (37,000) square foot facility located at the southern edge of the property. The project is currently under construction and should be open in early 2015. Keith Arnold is in the process of surveying the remaining twenty-four (24) acres and preparing a plat for a sixty (60) lot subdivision.

To facilitate the construction of Oak Pointe and annexation of the property, extensions of both water and sewer infrastructure were required. A cost-benefit analysis was performed and provided to council and the City of Maryville contributed fifty thousand dollars (\$50,000) to extend a twelve inch (12") water main along Icon Road to the south property line. While the City of Maryville assisted with the costs for the waterline as an economic development incentive, the cost of extending sanitary sewer services were a responsibility of the developer. During site plan development it was determined that a lift station would be required near the Oak Pointe property line to service both the assisted living facility and additional single-family development. At that point, City staff discussed the possibility of having the developer and their contractor upsize the lift station to address concerns with an existing lift station in the Golden Acres Subdivision. The existing lift station includes a 2" force main and the Arnold/Oak Pointe development would require a four inch (4") force main. In order to combine the two (2), a six inch (6") force main for a distance of one thousand two hundred (1,200) linear feet is required along with upsizing valves, piping, and pump HP.

White Cloud Engineering and Construction Company, Inc. has been hired by the developer to install the lift station to serve Oak Pointe and the proposed subdivision. The company has provided the City a quote of seven thousand five hundred dollars (\$7,500) to upsize the lift station project to improve sanitary sewer service in the area. Since the contractor is already onsite and performing sanitary sewer construction for the developer, staff is requesting competitive bid requirements waived according to Section 150.090 (G)1 of the Municipal Code.

The FY 2015 Budget includes \$100,000 for infrastructure improvements related to economic development.

Staff recommended approval of the proposed ordinance to execute a contract with White Cloud Engineering and Construction, Inc. for upsizing a sanitary sewer lift station in an amount not-to-exceed seven thousand five hundred dollars (\$7,500). The expense of upsizing the lift station is significantly reduced due to the contractor already being onsite and hired by the developer to perform the sanitary sewer extension. The upsizing will ensure that the system continues to function properly with the addition of Oak Pointe and single-family homes.

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 Councilwoman Martin, to execute a contract with White Cloud Engineering and Construction, Inc. for upsizing a sanitary sewer lift station in an amount not-to-exceed seven thousand five hundred dollars (\$7,500). Upon roll being called the vote was as follows: Councilman Shipley, yea; Councilman Funston, abstained; Councilwoman Martin, yea; Councilman Riggs, yea; Mayor Riedel, yea; Motion carried.

Said bill was then identified as Ordinance No. 7699 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. 2014-81.

REPORTS

I. NWMSU/Student Senate Liaison

- *Finals Week at Northwest Missouri State University* – Students are taking their finals for the first semester at this time. The second semester will begin January 12, 2015, following Christmas break.

II. CITY MANAGER

- *Radar Vehicle Detection System on South Main Street* - On October 13, 2014, the City Council approved a contract with Mid-American Signal, Inc. for the purchase of a radar vehicle detection system to be placed at the intersection of South Avenue and South Main Street. Installation by Leath & Sons, Inc. occurred Monday, November 24, 2014 and included mounting, aiming, cable installation in existing conduits. Mid-American Signal returned to the site on December 3, 2014, to program, optimize, and activate the system. Staff witnessed a strong improvement to cycle times and a decrease in the length of backups during peak traffic periods. The system is an improvement, not an immediate solution and traffic will still stack during peak periods. With the new system, the stacking time is decreased and staff expects more improvement once drivers become familiar with the new system. It has been determined that an upgraded detection system and optimization of signal timings should reduce the average vehicle delay from 160 sec/veh to 42 sec/veh. A reduction in the number of accidents at this location may also occur as a result of the project.
- *City Attorney Appointment* - City Attorney Doug Thomson has been successfully elected as Nodaway County Associate Circuit Judge and will take office in January. Per Section 105.110 of the Municipal Code of Maryville, the City Attorney is appointed by the City Manager subject to confirmation by the City Council. The City of Maryville is requesting Letters of Interest for the appointment of City Attorney, for an appointment to begin January 5, 2015. Letters of Interest will be accepted until Tuesday, December 16, 2014 at 2:00 p.m., local time. It is anticipated that an appointment will be made and confirmed by the City Council at the regular meeting on December 22, 2014.
- *City Prosecuting Attorney Appointment* - The City Prosecuting Attorney Appointment is currently held by Pat McLaughlin who has held the appointment for the past thirty-five (35) years. With the vacancy of City Attorney, staff feels it is an appropriate time to perform due diligence on this appointment and seek Letters of Interest for the City Prosecuting Attorney Position as well. The City of Maryville is requesting Letters of Interest for the appointment of City Prosecuting Attorney, for an appointment to begin January 1, 2015. Letters of Interest will be accepted until Tuesday, December 16, 2014 at 2:00 p.m. local time. It is anticipated that an appointment will be made and confirmed by the City Council at the regular meeting on

December 22, 2014. The current prosecutor has been provided a notice and encourage to reapply if interested.

- *Compensation Study Request for Qualifications* – City staff has been preparing specifications for a Request for Qualifications (RFQ) for a consultant to perform a compensation study for City employees. The purpose of the study is to address changes in city operations and staffing over the last several years, which may have affected the type, scope, and level of being performed and the appropriate compensation for each position. Determining appropriate compensation for each position will not only assist with retaining current employees, but assist in the recruitment of the most qualified candidates for position vacancies. Responses to the RFQ and selection of a consultant are tentatively scheduled for January/February 2015.
- *Open Enrollment Meetings* - Human Resources Manager, Amy Strough, and Gallagher Benefit Services, Inc. hosted three consecutive open enrollment sessions on Tuesday, November 25th for City employees. Health, Dental, Life, and Vision plans were presented to employees and staff addressed numerous questions regarding benefits. Attendance was mandatory due to changes in broker services and benefits; however employees generally appreciated the additional information provided by Amy and Gallagher. Unum, the City's new group life, voluntary life and AD&D insurance as well as a representative from Citizen's Bank and Trust regarding flexible spending accounts were also in attendance. The educational efforts have already led to a significant increase in employees electing for voluntary benefits and understanding of what the City offers.
- *City Audit* – Hochschild, Bloom & Company was onsite the week of December 1, 2014 performing the City's audit for the 2014 fiscal year. Staff will begin preparing the first draft of financial statements for the auditors' review and the report to council is expected in February. No major concerns have been identified to this point; however their standard management letter comments will provide their annual recommendations for improvement. Also, no compliance findings were identified with any grant award, which is notable due to the substantial volume of grant awards utilized in FY14.
- *Beal Park Trail, Phase F STP-9900 (111)* – In 2012, the City of Maryville was awarded a Transportation Enhancement (TE) Grant from the Missouri Department of Transportation in the amount of \$240,000 to construct the Beal Park Trail, Phase F. As designed, the trail extends the trail system from the 7th & 9th Street Trail Project at Davis to Beal Park and then through the residential neighborhoods back to Davis Street. The award, based on a 2011 construction estimate represented approximately fifty percent (50%) of the anticipated project cost. Engineering and design work was completed from May 2012 to July 2013. After performing due diligence on the trail route, council priorities, and available matching funds, it was determined that the local match was not available to complete the project at this time. Since the grant funds cannot be transferred to other local trail projects, the City determined that the TE award could be better used elsewhere in the statewide system. MoDOT requires the grant award in the amount of thirty thousand two hundred seventy-nine and 60/100 dollars (\$30,279.60) to be returned to the state and the check is scheduled to issue on December 9, 2014. MoDOT has assured the City that the return of funding will not negatively impact future grant applications.
- *Maryville Public Safety Radio Grant* - In July, Public Safety made application to Missouri Department of Public Safety for participation in the Local Law Enforcement Block Grant (LLEBG). The grant has eligibility for specific items and has a maximum award of nine thousand dollars (\$9,000) on a ten thousand dollar (\$10,000) grant application (minimum ten percent (10%) local match). The application was for the

purchase of new P-25 capable (digital) mobile radios. In November the Department was notified that our grant application had been awarded for the purchase of eleven (11) new mobile radios. Over the last several years the Department has been awarded several other grants for the acquisition of portable radios with similar technology. These eleven (11) new mobiles will complete the police division's transition to digital communications. The funds may be expended after January 1, 2015 and the switching of car radios should start soon after that.

- *Rip Rap Project at Mozingo Lake Recreation Park* - With the cooler temperatures, Mozingo staff has resumed the Rip-Rap project to control soil and embankment erosion along the shores of the lake. Staff has completed installing rip-rap in the areas adjacent to the City boat ramp and is now working on installing the remainder of the rip-rap near the State boat ramp and along the shores of the RV parks. With cooperative weather, this project should be completed by March.
- *Housing Units Approved* – According to Pete Ramsel, Volunteer Management and Development Company, the Missouri Housing Commission has approved the construction of two (2) sixteen unit complexes for an additional thirty-two (32) units, located at the Southview Apartments, located along South Main Street.
- *Archway to be Install at 4th and Buchanan Streets* – The main structure of the archway sign is scheduled to be installed on Tuesday, December 9, 2014, located on West 4th Street at the intersection of Buchanan Street, as part of the 4th Street Improvement Project.

CITY COUNCIL

- *Lettuce Dream Event* – Councilwoman Martin stated that she attended the “Lettuce Dream” fund raiser as a representative of the City Council. “Lettuce Dream” is a non-profit organization that provides individuals with cognitive or intellectual disabilities, and to be a model for other organizations who wish to replicate our employment philosophy to hydroponically grow produce. Lettuce Dream provides an opportunity for the team of diverse individuals to learn the full spectrum of tasks associated with hydroponic farming. Additionally, they support the team members by affording them a unique chance to identify their own strengths, to establish their own career goals, to gain self-confidence, to grow self-esteem, and to become useful and vital participants in their community.

ADJOURNMENT

Motion was then made by Councilman Shipley, seconded by Councilwoman Martin, to adjourn the meeting. 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. Meeting was adjourned.

Renee Riedel, Mayor

ATTEST:

Sheila Smail, City Clerk