

**Maryville City Council**  
**Regular Scheduled Meeting**  
January 12, 2015  
7:00 p.m.

The Council of the City of Maryville, Missouri, met in regular session on Monday, January 12, 2015, 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 Renee Riedel, Council Members Rachael Martin, Gerald Riggs, Timothy Shipley and, Jeff Funston. Others present were City Manager Greg McDanel; Asst., City Manager Ryan Heiland; Dir., Finance Denise Town; Dir., Public Works C.E. Goodall; Dir., Public Safety Keith Wood; Human Resource Manager Amy Strough; NW Student Liaison-City Council Dannen 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 December 8, and 22, 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 December 2014, the City received non-reoccurring funds from the Missouri Department of Transportation for grant project reimbursements, request #3 (final) on the 4<sup>th</sup> Street Improvement Project (\$142,174.72); and Property tax distribution by Nodaway County (\$245,659.78).

Non-reoccurring disbursements for the month of December 2014 included payments to David E. Ross, pay estimate #15 on the Wastewater Treatment Plant Improvement Project (\$776,327.85); HDR Engineering, Wastewater Treatment Plant Improvement Project for engineering services (\$24,786.91); Director of Revenue, repayment of Beal Park trail grant monies (\$30,692.23); Mark Burnside, sewer infrastructure for economic development (\$56,900.00); Orr Construction – Release of retainage on 4<sup>th</sup> Street Project (to 1%) (\$ 56,635.09) Mid American Signal, new traffic signal at South Avenue & South Main Streets (\$21,530.00); NW MO Enterprise Facilitation, annual support (\$7,000.00); Professional Turf Products, Golf Course irrigation system (\$11,773.60); UMB Bank – Principal on 2013 Water/Sewer bond issue (\$225,000.00); UMB Bank, interest on 2013 Water/Sewer bond issue (\$230,036.25); and UMB Bank, interest on 2009 Water/Sewer refunding bond issue (\$28,334.38)

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.

**AN ORDINANCE TO ADOPT SECTION 115.296: CHILDREN AND FAMILY CENTER OF NORTHWEST MISSOURI SURCHARGE OF THE MUNICIPAL CODE OF MARYVILLE**

The City Clerk presented a bill, Bill No. 2014'137 for an ordinance entitled:

**AN ORDINANCE TO ADOPT SECTION 115.296: CHILDREN AND FAMILY CENTER OF NORTHWEST MISSOURI SURCHARGE, TITLE I: GOVERNMENT CODE, CHAPTER 115: MUNICIPAL COURT OF THE MUNICIPAL CODE OF MARYVILLE, MISSOURI.**

On December 8, 2014, Nodaway County Prosecutor Robert Rice requested the City Council consider an ordinance to impose a four dollar (\$4.00) surcharge per each municipal court case for the Children and Family Center of Northwest Missouri. Section 488.607 RSMo, allows for the governing body of any county or city having a shelter for victims of domestic violence provide for an additional surcharge in an amount of up to four dollars (\$4.00) per each criminal case, including violations of any county or municipal ordinance, for the purpose of providing operating expenses for shelters and battered persons. Prior to House Bill 1238 approved on August 28, 2014, Section 488.607 RSMo allowed for up to two dollars (\$2.00) for this purpose; however Maryville has never imposed the surcharge.

The Children and Family Center of Northwest Missouri provides a safe shelter and a nurturing environment for individuals and families who have experienced abuse. The organization provides services and serves the victims of domestic violence and sexual assault and provides community education in the five counties of Northwest Missouri. The counties served include Nodaway, Atchison, Holt, Gentry and Worth. The proposed four dollars (\$4.00) surcharge based on municipal court cases in 2013, being one thousand six hundred eleven (1,611) cases, would result in an additional six thousand four hundred forty-four dollars (\$6,444.00) for the center.

Current court costs, aside from violation fines, are thirty-one and 50/100 dollars (\$31.50). The fees include the Court Clerk Fee, of twelve dollars (\$12.00), Crime Victims Compensation Fund of seven and 50/100 dollars (\$7.50), Police Officer Standards Training-State at one dollar (\$1.00), Law Enforcement Training-Municipal of two dollars (\$2.00), Inmate Security Fund of two dollars (\$2.00), and Court Automation, at seven dollars (\$7.00). Driving While Intoxicated and similar cases may require a breathalyzer test adding an additional seventy-five (\$75.00).

It was determined that the Maryville Municipal Court handles only a small amount of minor assaults and no domestic violence incidents, as they are typically State charges. For domestic assaults sent to the State, there are some statutory requirements and built-in protections for the Officer(s) if acting under those statutes. In 2013, there were a total of fifty-six (56) assaults, of which forty-nine (49) were simple assaults and seven (7) were aggravated. Of the forty-nine (49) simple assaults, a total of four (4) were domestic in nature and went through the State.

Staff recommended the consideration of a two dollar (\$2.00) surcharge, which would generate three thousand two hundred twenty-two dollars (\$3,222.00) annually for the Children and Family Center of Northwest Missouri. Larger communities such as St. Joseph, Blue Springs, and Independence have increased the surcharge to \$4.00 while smaller communities such as Kearney, Canton, and Monnett remain at the \$2.00 pre-HB 1238 level.

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.

At the December 22, 2014 City Council Meeting a motion was made by Councilwoman Martin, seconded by Councilman Riggs, to approve Council Bill No. 2014'137, adopting Section 115.296: Children and Family Center

of Northwest Missouri Surcharge, at four percent (4%) followed by a vote to postpone the vote to approve the bill until this meeting.

After further discussion a motion was made by Councilman Shipley, seconded by Councilwoman Martin, to change the percentage of surcharge from four percent (4%) to two percent (2%). Upon roll being called the vote was as follows: Councilman Funston, yea; Councilwoman Martin, yea; Councilman Riggs, nay; Councilman Shipley, yea; Mayor Riedel, yea. Motion carried.

Upon roll being called for the approval of Council Bill No. 2014'137, to adopt Section 115.296: Children and Family Center of Northwest Missouri, at a rate of two dollar (\$2.00), was as follows: Councilwoman Martin, yea; Councilman Riggs, nay, Councilman Shipley, yea; Councilman Funston, yea, Mayor Riedel, yea. Motion carried.

Said bill was then identified as Ordinance No. 7707 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**A RESOLUTION OF INTENT FOR THE ISSUANCE OF THE CITY'S REVENUE BONDS TO FINANCE AND REFINANCE A PROJECT FOR KAWASSAKI MOTORS MANUFACTURING CORP., U.S.A.**

The City Clerk presented a bill, Bill No. 2015'01 for an resolution entitled:

**A RESOLUTION OF THE CITY OF MARYVILLE, MISSOURI DETERMINING THE OFFICIAL INTENT OF THE CITY TO ISSUE ITS REVENUE BONDS TO FINANCE AND REFINANCE THE COSTS OF A PROJECT FOR KAWASAKI MOTOR MANUFACTURING CORP. U.S.A.**

Kawasaki Motors Manufacturing Corp., U.S.A., iss a well-respected and critical piece of the Maryville community since opening in 1989, building elite engines sought by the most demanding outdoor bands, turf professionals, and homeowners in the world. The current plant employs over eight hundred (800) full-time and three hundred (300) contract employees in nearly eight hundred thousand (800,000) square feet of space. Over the twenty-five (25) year history, Kawasaki has expanded eleven (11) times. While Kawasaki is the largest industrial employer in the community, until recently the plant was located outside the city limits.

In 2014, Kawasaki and City leadership were involved in lengthy discussions about the future of Maryville and industry in the community. Through those discussions, it was clear that both entities share a vision of community success through a focus on infrastructure on South Main Street and quality of life improvements, housing redevelopment, education and values, and the future of industrial growth. In December, the result of the shared vision was a completion of a voluntary annexation process making Kawasaki Motors Manufacturing Corp., U.S.A. a part of the official city limits. The voluntary annexation required no extension of city services; however will provide significant additional tax revenue to several entities moving forward. Based on estimates provided, the City of Maryville anticipates one hundred thirty-four thousand nine hundred fifty-two and 88/100 dollars (\$134,952.88) in additional annual revenue, Maryville Parks and Recreation at thirty-five thousand seven hundred thirty-eight and 80/100 dollars (\$35,738.80), and the Maryville Public Library at fifteen thousand seven hundred seventy and 61/100 dollars (\$15,770.61). The additional revenue is property tax and sales tax, the latter of which can fluctuate on an annual basis.

Along with the voluntary annexation, discussions have occurred regarding expansion of the Maryville manufacturing plant. The company has the desire to expand its presence in Maryville and has been working with the City and Nodaway County Economic Development to analyze potential economic development tools to assist with growth. Over the past several years, the City of Maryville has shown to be progressive in utilizing economic development tools to immediately grow the local economy with long-term community benefits in mind.

Kawasaki Motors Manufacturing Corp., U.S.A. desires to expand with an additional one hundred thousand eight hundred square foot (100,800 sq.') building for machining and new equipment. Continued improvement of die casting, machining, and assembly lines will allow the company to continue to produce a quality product and improve plant efficiencies. The estimated cost of the Kawasaki Motors Manufacturing Corp., U.S.A. expansion is twenty-five million dollars (\$25,000,000) and is anticipated to add up to thirty (30) new jobs to the community in conjunction with weekend shifts.

Missouri law authorizes municipalities to issue Industrial Development Revenue Bonds (IDBs), also known as Chapter 100 bonds, to provide a tax incentive to facilitate industrial development projects. IDBs under Chapter 100 may be issued by any city, county, town, or village to finance the costs of offices, warehouses, distribution facilities and industrial plants. In conjunction with the projects, the bond proceeds may be used to finance buildings, fixtures, and machinery. There are two (2) primary reasons to issue IDBs, first, when the bonds are tax-exempt they may possess lower interest rates than those obtained through conventional financing. The second reason is that ad valorem (property) taxes on bond-financed property may be exempt because legal title to the property and improvements financed with Chapter 100 bonds are held by the City during the financing period. In a typical IDB transaction, the municipality holds fee title to the project and leases it to the company thereby making it exempt for ad valorem and personal property taxes for the bond period. IDBs can be issued as revenue bonds that do not require voter approval and are payable solely from revenues received from the project. In other words, the municipality merely acts as a conduit for the financing. At the completion of the revenue bonds, the property is transferred back to the company for a nominal amount. Building materials and other real property improvements financed with IDBs may also be exempt from state and local sales tax. In no event would the City have any obligation to pay the bondholders once a lease has been issued. IDBs, like issues of conventional corporate securities, are sold by two basic methods – public offerings or private placements.

The proposed resolution declared the finding of a public benefit and the City of Maryville's official intent to issue Industrial Development Revenue Bonds in a principal amount not-to-exceed twenty-five million dollars (\$25,000,000) to finance the project for Kawasaki Motors Manufacturing Corp., U.S.A. Section 100.050 of the Missouri State Statutes requires the City and company to prepare a "plan for industrial development" which includes a cost-benefit analysis. The resolution authorizes the preparation of the plan which then must be mailed to each taxing district impacted and must allow for a twenty (20) day minimum notice for a hearing on the plan. After the public hearing, the City can pass an ordinance to approve the plan and issue bonds on the project. The resolution also authorizes the City to prepare all documents necessary for the issuance and sale of IDBs and associated lease agreements.

The impact to each taxing jurisdiction will be included in the plan for industrial development and mailed to each taxing jurisdiction. The abated ad valorem and personal property taxes associated with IDBs are typically ten (10) years; however that will also be addressed in the plan. Plans often include a Payment In-Lieu of Taxes (PILOT) payment equal to the amount of taxes currently paid by the company to each taxing jurisdiction. Therefore, any abated taxes are for the improvements only and not for the existing facility or equipment of Kawasaki Motors Manufacturing Corp., U.S.A. The following item proposes a Funding Agreement with Kawasaki to outline any legal fees associated with the process.

The resolution has been reviewed and approved by the White Goss. Attorney Bill Moore at White Goss has served as outside counsel on previous economic development projects in Maryville and is widely considered a statewide expert in development projects. The resolution and plan for industrial development will meet all requirements in Section 100.010 to 100.200 of the Revised Statutes for the State of Missouri (RSMo).

Staff recommended adoption of the proposed resolution of the official intent for the issuance of the City's Industrial Development Revenue Bonds in an amount not to exceed twenty-five million dollars (\$25,000,000) to finance a project for the benefit of Kawasaki Motors Manufacturing Corp., U.S.A. The resolution will allow staff and the company to prepare a plan for industrial development and begin the Chapter 100 bond process. At any point in the preparation and adoption of a plan, the City and/or company can elect to terminate the process.

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 Funston, to adoption of the proposed resolution of official intent for the issuance of the City's Industrial Development Revenue Bonds in an amount not to exceed twenty-five million dollars (\$25,000,000) to finance a project for the benefit of Kawasaki Motors

Manufacturing Corp., U.S.A. 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 identified as Resolution No. 622 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**AN ORDINANCE TO EXECUTE A FUNDING AGREEMENT WITH KAWASAKI MOTORS MANUFACTURING CORP., U.S.A. FOR LEGAL SERVICE EXPENDITURES**

The City Clerk presented a bill, Bill No. 2015'02 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI TO EXECUTE A FUNDING AGREEMENT WITH KAWASAKI MOTORS MANUFACTURING CORP., U.S.A., FOR LEGAL SERVICE EXPENDITURES, MARYVILLE, MISSOURI**

Kawasaki Motors Manufacturing Corp., U.S.A. desires to expand with an additional one hundred thousand eight hundred square foot (100,800 sq') building for machining and new equipment. Continued improvement of die casting, machining, and assembly lines will allow the company to continue to produce a quality product and improve plant efficiencies. The estimated cost of the Kawasaki Motors Manufacturing Corp., U.S.A. expansion is twenty-five million dollars (\$25,000,000) and is anticipated to add up to thirty (30) new jobs to the community in conjunction with weekend shifts.

The City of Maryville finds and determines that the expansion project at Kawasaki Motors Manufacturing Corp., U.S.A. will promote the economic well-being of the community and has declared the intent to issue Industrial Development Revenue Bonds (IDBs) to finance the project. The previous resolution also authorized the preparation of the "plan for industrial development" and other documents associated with the issuance of bonds in accordance with Chapter 100 of the Missouri State Statutes. Staff desires to utilize outside counsel specializing in public finance and economic development for these documents. Bill Moore of White Goss has been involved in previous Maryville developments and is familiar with this project.

The proposed Funding Agreement outlined that the City would retain outside counsel and incur expenses in regards to the Chapter 100 bond process. Kawasaki will deposit a minimum of thirty thousand dollars (\$30,000) with the City of Maryville to be utilized for consulting fees and all other out-of-pocket expenses on the project.

The Funding Agreement is established to ensure all counsel and consultant fees associated with the issuance of IDBs are paid for by Kawasaki Motors Manufacturing Corp., U.S.A.

The ordinance and Funding Agreement have been approved by White Goss. All documents and issuance of IDBs must meet the requirements of Chapter 100 RSMo.

Staff recommended approval of the proposed ordinance to execute a Funding Agreement with Kawasaki Motors Manufacturing Corp., U.S.A for legal service expenditures. The agreement ensures that all outside counsel expenditures throughout the Chapter 100 bond process are covered by the company. The City of Maryville will work directly with White Goss and Kawasaki to ensure that all documents are prepared in accordance with the Missouri State Statutes authorizing the use of the economic development tool.

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 Riggs, to execute a Funding Agreement with Kawasaki Motors Manufacturing Corp., U.S.A for legal service expenditures. 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.

Said bill was then identified as Ordinance No. 7706 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. 2015-02.

**AN ORDINANCE TO EXECUTE A CONTRACT WITH HAUG COMMUNICATIONS, INC., FOR THE PURCHASE EQUIPMENT OF COMMUNICATION EQUIPMENT**

The City Clerk presented a bill, Bill No. 2015'03 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI TO EXECUTE A CONTRACT WITH HAUG COMMUNICATIONS, INC., FOR THE PURCHASE AND INSTALLATION OF COMMUNICATIONS EQUIPMENT, MARYVILLE, MISSOURI.**

For several years the Public Works Department has utilized a communication system consisting of an antenna and radio repeater on the roof of City Hall. A radio repeater effectively takes a signal transmitted and amplifies it at a stronger signal. Weak signals that may not be strong enough to travel across town at lower elevations (portable to portable), have a better chance of hitting the new antenna on top of an elevated structure to have its signal strength boosted before re-transmitting to reach the intended target. The system has worked well for many years, however weak signals are now more frequent providing challenges for crews to stay in contact throughout the city. The issue has become more problematic over the last several years due to FCC mandated narrow bands and the construction of the Nodaway County Administration Building. Along with elevation and line of sight challenges, a radio technician has examined the antenna on top of City Hall and deemed it unsafe to climb due to deteriorating guy wire anchors in the masonry and the unit can no longer be serviced.

On December 22, 2014, the City Council approved a Memorandum of Understanding with Rural Polk Fire Protection District to install a new radio repeater on the South Water Tower for the purposes of joint fire service communication. The project will be installed by Haug Communications, Inc. who also provided the City a quote to install a new repeater on the South Water Tower for Public Works. The simultaneous installation of both repeaters by Haug Communications, Inc. will result in a price break and the complete elimination of the need for the deteriorated unit at City Hall. A quote was provided in the amount of ten thousand five hundred fourteen and 50/100 dollars (\$10,514.50) and recommended for approval.

The FY 2015 Budget does not include funds for this project; however staff was not aware of the condition of the existing unit until after adoption. The replacement amount quoted can be divided proportionately between the Water/Sewer Fund and the General Fund based on the number of radios used. The Water/Sewer Fund is attributed to fifteen (15) radios or four thousand three hundred eighty-one and 04/100 dollars (\$4,381.04) of the proposed project with two thousand one hundred ninety and 52/100 dollars (\$2,190.52) from both Water Maintenance and Wastewater Maintenance funds. The General Fund would be responsible for twenty-one (21) radios or six thousand one hundred thirty-three and 46/100 dollars (\$6,133.46) of the proposed project.

Staff recommended approval of the proposed ordinance to execute a contract with Haug Communications, Inc. for the purchase of communications equipment related to the Public Works Department, in an amount not-to-exceed ten thousand five hundred fourteen and 50/100 dollars (\$10,514.50). Although an unbudgeted expenditure, the replacement is critical to ensure continued communication of staff and to coordinate with fire communication installation on the South Water Tower.

After approval, staff will be tasked with a time consuming frequency coordination phase of the project. It should take three (3) to four (4) months of FCC related paperwork and frequency coordination before the hardware installation can occur. Upon completion, staff will analyze the removal of the inoperable antenna unit from the roof of City Hall.

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 execute a contract with Haug Communications, Inc. for the purchase of communications equipment related to the Public Works Department, in an amount not-to-exceed ten thousand five hundred fourteen and 50/100 dollars (\$10,514.50). 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. 7708 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. 2015-03.

### **RETAIL LIQUOR BY THE DRINK FOR MOZINGO LAKE RECREATION PARK, GOLF COURSE/CLUBHOUSE**

At the December 22, 2014 City Council meeting, City Council directed staff to research the topic of obtaining a Retail Liquor by the Drink liquor license for the golf course and clubhouse at Mozingo Lake Recreation Park. Currently, the golf course has a liquor license that allows for the sale of 5% beer by the drink. Obtaining a Retail Liquor by the Drink liquor license would allow for alcohol sales that include liquor, wine, and beer.

Staff previously addressed this topic at the June 17, 2013 Mozingo Advisory Board meeting. Following discussion, the Mozingo Advisory Board recommended by a 7-0 vote to move forward with securing a Retail Liquor by the Drink license. The approval was subject to periodic updates/reviews to the Advisory Board to identify if there were any needed areas of change. The item was subsequently held by staff pending the restructuring of the department and the conclusion of the comprehensive alcohol strategy discussion.

Seasonal staff with serving responsibilities are trained each year to provide liquor service in accordance with all local and state laws. Additional training is provided to ensure that alcohol is served responsibly. Should a Retail Liquor by the Drink liquor license be approved, staff would maintain many of the same procedures already in place, but with specific operational enhancements to ensure a high level of service and responsibility is maintained.

In regards to a Retail Liquor by the Drink liquor license, staff has researched best practices thoroughly, including conversations with St. Joseph Country Club and Paradise Point Golf Course at Smithville, both of whom provide full liquor service at their courses. Staff provided a summary of proposed operational changes to responsibly accommodate Retail Liquor by the Drink at Mozingo:

#### **Training:**

Several opportunities exist for enhanced training for managers and employees. Staff will finalize a training plan in the coming weeks but will include a combination of the following:

- SMART (State of Missouri Alcohol Responsibility Training): SMART training is free online and is an excellent training tool for operations with seasonal staff. The State of Missouri Division of Alcohol and Tobacco fully supports the SMART program. This program is utilized by both the St. Joe Country Club and Paradise Point Golf Course.
- Local bar owners: staff has contacted local bar owners, specifically The Pub, and they have offered to provide one-on-one training to managers. Training would include inventory control and server responsibility.
- Local law enforcement: Sgt. Rick Smail has offered to provide a training class and any other assistance needed to ensure employees are properly trained on safe serving and the laws.
- St. Joseph Police: The St. Joseph police department offers an “Alcohol Education and Enforcement” seminar every two weeks. They also provide the seminar twice a year in Maryville. Staff will work to schedule a seminar session with the St. Joseph police for a seminar session.

Due to scheduling, the St. Joseph police seminar may not be a possibility. However, staff would move forward with the first three (3) options listed above. Seasonal staff is currently trained utilizing an online program similar to SMART.

#### **Employees:**

- All employees who work in the snack bar area or the beverage cart would have to be 21 years of age or older.
- All employees would be required to complete online SMART classes and pass certification prior to first shift.
- All employees would be hired before peak season (mid-March) and be required to attend group training. Sgt. Rick Smail will be invited to provide alcohol training at the group training session.
- All snack bar employees first few shifts would be with a manager present to continue one-on-one training.
- Zero Tolerance Policy: there will be a zero tolerance policy when it comes to an employee breaking any alcohol law, policy, or regulation.

#### **Managers:**

- All managers will complete online SMART training classes and pass certification.
- Managers will also complete additional training from local bar owners and law enforcement.
- Provide a group training session followed by one-on-one training sessions for all employees.
- Provide continuous training to employees throughout the peak season.

**Operations:**

The following changes will be made to existing operations to responsibly accommodate liquor sales:

- Inventory will be stored in a locked commercial liquor security cage. The cage is approximately \$450 and measures 24"x36"x63". A small inventory will be kept on hand & inventory reviews will take place on a weekly basis. In addition, the security cage will be located in the upstairs storage room, separate from all other snack bar inventory. This store room is always locked and has only one (1) key for access, providing additional security.
- All liquor drinks will be served in 16 oz. clear plastic, disposable glasses with the Mozingo logo. The glasses will allow staff to visually differentiate between types of beverages. The glass size will also allow for staff to more accurately monitor alcohol intake & provide a consistent size for quality beverages.
- Prices for liquor drinks will be in the five to eight dollar (\$5 to \$8) range.
- A small selection of liquor will be available & displayed. Staff anticipates approximately five (5) to six (6) bottles for inventory selection (i.e. - vodka, rum, and whiskey). Drink menu will generally be for basic two (2) ingredient drinks.
- A selection of wine will be provided.
- The Beverage Cart is utilized on weekends, tournaments, and other high traffic timeframes. Staff would propose allowing "airplane bottles" to be served from the Beverage Cart when it is in operation. Beverage cart staff would be required to check-out a specific number of bottles and then be required to check-in at the end of the shift with a manager. Inventory control is accomplished by cross checking sales receipts with the number of bottles returned to ensure loss prevention. Beverage cart staff would be trained to same standards as all other staff.

**Tournaments:**

In the past, golf tournaments at Mozingo have been allowed to bring in third part liquor for their events. This, at times, was problematic for staff as there wasn't an effective means to supervise conformance with laws and to monitor consumption. This practice was ended last year as it was deemed too risky and concerns over violating liquor laws. By securing a Retail Liquor by the Drink liquor license for the golf course, staff will again be able to provide those tournaments an amenity that they have grown accustomed to having at Mozingo. However, with Mozingo providing the service, staff will be able to ensure that all alcohol dispensed during tournaments is done in a responsible manner and in accordance with all laws.

**Youth Golf Course:**

The youth golf course is expected to be operational at some point in 2015. Staff would propose extending the boundary of the liquor license to include the youth golf course. However, as is the practice now, alcohol would not be allowed on the youth course during the Junior Academy and any youth tournaments. The course will be closed to general public during these events anyways, but no alcohol would be allowed on the 9-hole course regardless. Staff does not have a concern with allowing alcohol on the 9-hole golf course during open public play as it will be a walking only golf course.

The required fees for a Retail Liquor by the Drink Liquor License are as follows:

- \$300.00 (Retail Liquor by the Drink from the State)
- \$300.00 (Retail Liquor by the Drink from the County)
- \$200.00 (Sunday Retail Liquor by the Drink from the State)
- \$200.00 (Sunday Retail Liquor by the Drink from the County)
- **Total = \$1,000.00 annual liquor license fee**

For the current year 2014-2015, the liquor license will be \$500.00, as it would be prorated for a half year. Liquor license renewal is in July of every year.

For a Retail Liquor by the Drink Liquor License, the hours of service are Monday thru Saturday, from 6am until 1:30am on Sunday morning and on Sunday from 10:00 a.m. until 10:00 p.m.



The liquor license renewal is in July of every year. At that time, modifications to operations could be recommended or Council could choose not to renew the Liquor by the Drink license and revert back to the 5% Beer by the Drink liquor license.

#### **LIQUOR LICENSE DATA FOR 4<sup>TH</sup> QUARTER 2014**

A report was provided by staff of liquor license information covering the period of October thru December, 2014. The fourth (4<sup>th</sup>) quarter took on a drastically different appearance as the effected population base of students, “settle in” from the start of school and weather becomes a factor for outdoor revelry. The quarterly report also included the historically busiest weekend of the year, homecoming for Northwest Missouri State University.

Following our last report and Council’s request to conduct a more balanced approach between Bar Patrol and Party Patrol, as resources permit. An evening of Party Patrol was completed on October 16, 2014, which was the Thursday preceding Homecoming. The results were nine (9) Minor in Possession (MIP) arrests compared to thirty-eight (38) experienced just a few weeks prior. Overall, Public Safety would surmise that the Homecoming weekend was relatively “quiet”.

Once Homecoming weekend passes, frequency of issues tend to diminish until the end of the semester to the extent that our last enforcement activity was on October 31, 2014. Staff provided some general observations and information:

- The 4<sup>th</sup> quarter of 2014, consisted of six (6) Bar Patrol events, one (1) Party Patrol, and no compliance checks comparative to 9-1-1 respectively for the first quarter.
- Council requested that staff meet with the owners of Molly’s Party Club to discuss their numbers, their volume of violations/market and the prospect of more self-reported efforts. This was completed by the City Manager McDanel and myself. They did impart some of the issues involved in self-reporting, most prominently being the detention of non-compliant patron/violators awaiting arrival of Public Safety Officers.
- During this period the ownership of the Outback has changed and at this point they are no longer active as a bar. Their future course of business is uncertain at this point.

Section 600.200 through 600.280 of the Municipal Code of Maryville dictates the enforcement of liquor license laws. Section 600.250 A., is a comprehensive list of the grounds for suspension/revocation. According to Section 600.250 F, the Council may impose a suspension of up to 90 days, or revoke the license, upon finding a violation of the comprehensive list. The process involves a hearing/formal proceeding that may be instituted at any time by an affirmative vote of three members.

#### **BUDGET DOCUMENT PRESENTATION**

The Fiscal Year 2015 (FY’15) Budget Document is now complete and was presented to the City Council. The document is the culmination of financial information for the City and increased narrative to assist readers who may be unfamiliar with municipal budgeting. The document is designed in similar format of the FY 2014 Budget Document which was awarded the City’s second Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award.

In order to receive the budget award, the document had to satisfy a stringent set of nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well the budget serves as a policy document, a financial plan, an operations guide, and a communications device. Budget documents must be rated in “proficient” in all four categories, as well as meeting fourteen (14) mandatory criteria within those categories to receive the award.

The Government Finance Officers Association (GFOA) established the Distinguished Budget Presentation Awards Program in 1984 to encourage and assist state and local governments to prepare budget documents of the very highest quality that reflect both the guidelines established by the National Advisory Council on State and Local Budgeting and the GFOA’s best practices on budgeting and then to recognize individual governments that succeed in achieving that goal.

The FY 2015 Budget Document contains all financial data for the City for FY 2015 and two prior years.

#### **REPORTS**

##### **I. NWMSU/Student Senate Liaison**

- *Construction Underway at Activity and Recreation Center* - Construction has begun on the Activity and Recreation Center, on campus. The Center is expected to be completed and open by the 2015 fall semester.

## II. CITY MANAGER

- *Compensation Study Request for Proposals (RFP)* – The City of Maryville has requested proposals from consulting firms to conduct a city-wide Classification and Compensation Study. 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 RFP are due Monday, January 16, 2015 by 4:00 p.m. It is anticipated that staff will present a firm for council consideration at the January 26, 2015 meeting. According to the RFP, all services on the project must be complete by July 1, 2015 in preparation of the FY 2016 Budget.
- *Employee Appreciation and Holiday Party* – The City of Maryville held its annual employee appreciation and holiday party Friday, January 9, 2015, at Bearcat Lanes. The event featured an appetizer buffet, bowling prizes, and recognition of employees. Service award recipients include: Chris Bird (5 Years), Matt Hoza, Mike Stolte (10 years), Dan Bozarth, Aaron Jones (15 years), Eric Lance, Ron Darnell, Russell Joslin, Jay Cacek (20 years), and Keith Wood, Chris Redden (25 years). The City appreciates and recognizes the exceptional service these employees have provided over the years. A special “thank you” is deserved for Amy Strough, Human Resources Manager and the Employee Board for planning the event.
- *2015 Great Northwest Day at the Capitol* - The Great Northwest Day at the Capitol is a cooperative effort by Northwest Missouri communities to unify and enhance our region’s image in Jefferson City and to pursue issues a legislation beneficial to Northwest Missouri. The event will be held at the Capitol Plaza Hotel on February 3rd & 4th for those interested in attending. To participate and obtain more information, please contact the Greater Maryville Chamber of Commerce. The City of Maryville’s legislative priorities are to ensure local control and influence over sales tax legislation and to sustain funding for K-12 and higher education.
- *Sanitary Sewer Smoke Testing (I&I)* – TREKK has now completed smoke testing of the entire sanitary sewer system to identify areas of inflow and infiltration of storm water. The report has been completed, provided to staff, and contains exact private and public locations for further analysis and repair. Over four hundred forty-six (446) separate issues were identified as contributing to nearly six thousand (6,000) gallons per minute of storm water I & I during high rainfall events. The results are considered severe and will be further complicated by the completion of the Wastewater Treatment Plant (WWTP) Facility. Once operational, the mechanical WWTP will unnecessarily treat the storm water increasing electricity costs. Staff is preparing a targeted plan for City Council discussion and will present at the meeting on January 26, 2015.
- *Hazard Mitigation Grant Program (HMGP), Cooper Street* - The City of Maryville has submitted a Notice of Interest to the Missouri State Emergency Management Agency (SEMA) for Hazard Mitigation Grant Program (HMGP) funds a Mitigation project along Cooper Street. Storm water drainage along Peach Creek at Cooper Street is inadequate for most rainfall events causing backups in adjoining areas and over the roadway. The proposed project replaces the undersized storm drainage tubes to eliminate the low water crossing and assist in flood reduction. The problem area also serves as the south boundary of Judah Park and could present issues to public safety. If the Notice of Interest is approved, the City will complete an application for funds. The FY 2015 budget includes forty thousand dollars (\$40,000) to be used for a grant match or a minor improvement toward this project.
- *Christmas Tree Disposal* – The City of Maryville Public Works Department is providing three (3) locations for the disposal of real Christmas trees. Trees will be accepted until Tuesday, January 20, 2015, at the City of Maryville Street Garage (123 North Newton Street), the lower parking lot behind City Hall (415 North Market Street), and at the Maryville Transfer Station (1860 N. Main Street). Trees can be disposed of from

8:00 a.m. to 3:30 p.m. Monday thru Friday. The Transfer Station will be closed Monday, January 19, 2015 in observance of Martin Luther King Day. Please remove all lights, ornaments, and tree stands before disposal.

- *Mozingo Lake Recreation Park Welcome Center (RFQ)* - The City of Maryville has initiated a Request for Qualifications (RFQ) process to select a qualified vendor to provide architectural design services for a Welcome Center at Mozingo Lake Recreation Park. Services will include site plan, preliminary designs and cost estimates, and construction plans. Responses to the RFQ are due no later than 5:00 p.m. on January 28th. The construction of a Welcome Center was identified in the Mozingo Master Plan and a top priority in an internal priority survey for the park. The facility will serve as the primary point of contact for visitors at the park, as well as the hub for administrative park staff.
- *Mozingo Lake Recreation Park Website Development* - On December 22, 2014, the City Council approved a contract with Hue Labs for the redesign of the Mozingo Lake Recreation Park website, [www.mozingolake.com](http://www.mozingolake.com). Steve James from Hue Labs will arrive the week of January 12, 2015 from Reno, NV to begin work on the redesign of the site. The consultant is scheduled to stay in the lakeside cabins for a few days to get a feel for the park. The contract calls for completion of the project in one hundred twenty (120) days from execution.
- *Mozingo Lake Recreation Park Ice Fishing Workshop* - The Missouri Department of Conservation has scheduled a free Ice Fishing Workshop for Saturday, January 24, 2015 from 9:00 am to 1:00 pm., at Mozingo Lake Recreation Park. The workshop begins at the multipurpose building and will address ice safety and ice fishing equipment. Following the classroom portion, the workshop moves to a hands on, on the ice fishing techniques workshop. Bait and tackle will be provided while supplies last as well as pre-drilled ice fishing holes. This event is weather dependent and will be cancelled if ice conditions are not favorable or for extreme cold. Pre-registration is available by calling (816) 271-3100.
- *Spoofhound Trail to be Constructed* – the City received notification that the funds for the construction of the “Spoofhound Trail”, from the East Crestview Drive dead end to South Munn Avenue has been awarded to the City. This trail will connect the two (2) trail projects.

#### **CITY COUNCIL**

- *Wall Street Journal Report* – Councilman Riggs shared a report from the Wall Street Journal that stated one hundred twenty-six (126) police officers lost their lives in 2014. Councilman Riggs expressed his gratitude for the service of the Maryville Public Safety Officers and Dir., Public Safety Keith Wood.
- *The Palm’s Food Wagon* – An inquiry was made regarding the selling of food from The Palm’s Food Wagon. It was noted that the owner has been informed of the process in which to obtain a permit from the City to be able to sell from his food wagon. He has not yet made application to begin this process.
- *Inflow & Infiltration (I & I) Test Results* – With the Wastewater Treatment Improvement Project scheduled to be completed and on-line by the July 15, 2015 deadline, an inquiry was made regarding the I & I testing and the elimination of some of these issues before the Wastewater Treatment Improvement Project is online. City Manager McDanel stated that staff would have a report on that subject at the January 26, 2015 City Council Meeting.
- *City Council Election to Elect 2 Positions* - The period for filing for the two positions available on the Maryville City Council, will close on January 20, 2015, at 5:00 p.m. Anyone interested in filing for candidacy is encouraged to do so before that time.

#### **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 at 8:36 p.m.

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Renee Riedel, Mayor

ATTEST:

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Sheila Smail, City Clerk