

**Maryville City Council
Regular Scheduled Meeting**

March 30, 2015

7:00 p.m.

The Council of the City of Maryville, Missouri, met in a regular session on Monday, March 30, 2015, at City Hall, 415 North Market Street, in said City at 7:00 p.m.

PUBLIC HEARING

PUBLIC HEARING FOR INDUSTRIAL DEVELOPMENT PROJECT AND COST BENEFIT ANALYSIS FOR KAWASAKI MOTORS MANUFACTURING CORP., U.S. A.

Mayor Riedel opened the Public Hearing for the Industrial development Project and Cost Benefit analysis for Kawasaki Motors Manufacturing Corp., U.S.A. Anyone present who wished to speak was asked to give their name and address for the record.

City Manager Greg McDanel gave an overview of the proposed project agreement with Kawasaki Motors Manufacturing Corp., U.S. A.

Larry Linthacum, Superintendent of the Maryville R-II School District briefly spoke about the loss of tax revenue with the closing of Eveready and the discounted taxes from this project.

Josh McKim, Dir., Nodaway County Economic Development spoke about the benefits that will come from these transactions.

With no further discussion, Mayor Riedel closed the Public Hearing.

PETITION OF ANNEXATION OF PROPERTY OWNED BY DOUBLE "B" DEVELOPMENT, LLC, LOCATED ALONG SERENITY LOOP

Mayor Riedel opened a public hearing for the proposed annexation of property owned by Double "B" Development, LLC, Located along Serenity Loop. Anyone present who wished to speak was asked to give their name and address for the record.

City Manager McDanel stated that the public hearing was the beginning of the required fourteen (14) days period to allow for submissions of written objections to be received regarding the proposed annexation. Following the required fourteen (14) day period an ordinance will be considered by the Maryville City Council.

With no further discussion, the public hearing was closed.

DECLARATION OF SURPLUS PROPERTY AND TO ABANDON AN ALLEY LOCATED BETWEEN 116 AND 120 NORTH WATER STREET

Mayor Riedel opened a public hearing for the proposed surplus property and abandonment of an alley located between 116 and 120 North Water Street. Any persons wishing to speak were asked to state their name and address for the record.

Staff explained that an application was received by property owners David Wolf and Ray Walden requesting the closure of an alley.

With no further discussion, Mayor Riedel closed the public hearing.

DECLARATION OF SURPLUS PROPERTY AND TO ABANDON AN ALLEY LOCATED BETWEEN 508 AND 516 NORTH BUCHANAN STREET

Mayor Riedel opened a public hearing for the proposed surplus property and abandonment of an alley located between 508 and 516 North Buchanan Street. Any persons wishing to speak were asked to state their name and address for the record.

Staff explained that an application was received by property owner Bruce Judd requesting the closure of an alley.

With no further discussion, Mayor Riedel closed the public hearing.

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 Racheal Martin, Jerry Riggs, Timothy Shipley, and Jeff Funston. Others present were City Manager Greg McDanel; Asst. City Manager Ryan Heiland; City Attorney Taryn Henry; Dir., Finance Denise Town; Dir., Public Works C.E. Goodall, Dir., Public Safety Keith Wood, Human Resource Manager Amy Strough, Student Liaison 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.

Motion was made by Councilman Funston, seconded by Councilman Riggs, to approve the agenda 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.

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.

AN ORDINANCE APPROVING THE PLAN FOR AN INDUSTRIAL DEVELOPMENT PROJECT FOR KAWASAKI MOTORS MANUFACTURING CORP., USA, AUTHORIZING ISSUANCE OF INDUSTRIAL REVENUE BONDS, SERIES 2015, AND APPROVING CERTAIN OTHER DOCUMENTS

The City Clerk presented a bill, Bill No. 2015'27 for an ordinance entitled:

AN ORDINANCE APPROVING A PLAN FOR AN INDUSTRIAL DEVELOPMENT PROJECT FOR KAWASAKI MOTORS MANUFACTURING CORP., U.S.A., AND AUTHORIZING THE ISSUANCE OF TAXABLE INDUSTRIAL REVENUE BONDS (KAWASAKI MOTORS MANUFACTURING CORP., U.S.A. PROJECT), SERIES 2015, IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$25,500,000; AUTHORIZING AND APPROVING CERTAIN OTHER DOCUMENTS; AND

AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS.

Kawasaki Motors Manufacturing Corp., U.S.A. desires to expand with an additional one hundred thousand eight (100,800) square foot 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 five hundred thousand dollars (\$25,500,000) 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.

On January 12, 2015, the City Council approved a Resolution of Intent declaring the project was of public benefit and issued the intent to issue Industrial Revenue Bonds to fund the project. 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 authorized the preparation of the plan and further negotiations with Kawasaki regarding the content of said plan. The plan was prepared and mailed to each taxing district according to statute with a minimum of twenty (20) day notice of the public hearing on the plan. The required public hearing was held on March 30, 2015.

City Manager McDanel provided an overview of the documents for consideration:

Plan for Industrial Development Project and Cost-Benefit Analysis

According to the Plan for Industrial Development Project and Cost-Benefit Analysis, the City will issue twenty-five million five hundred thousand dollars (\$25,500,000) in Series 2015 Industrial Revenue Bonds to facilitate seven million dollars (\$7,000,000) in project/building improvements and eighteen million five hundred thousand dollars (\$18,500,000) in equipment improvements. The bonds will be issued by the City and purchased by

Kawasaki and are payable solely from revenues derived by the project. Under the Chapter 100, Kawasaki's existing facility and new improvements twenty-five million five hundred thousand dollars (\$25,500,000) will be transferred to ownership of the City and leased back to the company under terms in the Lease Agreement. The transfer will make all Kawasaki property tax exempt for the bond period, with the exception of existing equipment. The intent of the Chapter 100 bonds is to provide a one hundred percent (100%) tax abatement on real property and fifty percent (50%) tax abatement on new personal property for the ten (10) year bond period. Kawasaki will provide a Payment In-Lieu of Taxes (PILOT) payment equal to the amount of existing real property taxes to ensure each taxing jurisdiction continues to receive the amount it receives today. An additional PILOT payment is included to address the fifty percent (50%) value of new personal property and is explained further in the *Financial Considerations* section. PILOT ensures that any incentive or abated taxes are for the improvements only and not for the existing facility or equipment of Kawasaki Motors Manufacturing Corp., U.S.A.

Lease Agreement

The City exclusively leases the property to Kawasaki for a period of ten (10) years ending on December 1, 2015. The City will issue bonds and sell them to the purchaser under the terms in the Trust Indenture. The company will construct project improvements upon the leased property and complete them by December 1, 2017. The City will provide a sales tax exemption certificate to the company for the project improvements. Certain personal property is already eligible for sales tax exemption under Missouri Law. The agreement establishes "basic rent" for the company to pay Trustee in the amount equal to the amount of principal of the Bonds and interest provided in the Indenture. The company shall, at its own expense, keep the property safe and in a maintained condition. All utilities and services used by the company will be contracted and paid by the company. All PILOT payments will be paid the City no later than December 31st of each year. The company will maintain its own General Liability, Automobile Liability, and Worker's Compensation Insurance. The company will be required to maintain a list of Project Equipment with the Trustee. The company shall purchase the property back at any time or at the end of the bond period for the sum of the outstanding bond obligation, City's reasonable fees for legal counsel, and one hundred dollars (\$100.00). Should the company file bankruptcy or closure all basic rents become payable and the City may take possession of the leased property. The company may only sublease the agreement with the City's permission.

Performance Agreement

Kawasaki agrees to make PILOT payments for tax years 2015 to and including 2025 for ad valorem property taxes. The company will submit to the City within sixty (60) days of December 1, 2017 and each December 1st thereafter, a written report showing actual number of new jobs at the project site and the average wage of the company's most recent fiscal year. The company agrees to create thirty (30) new jobs at the project site by December 1, 2017 and maintain a minimum number of seven hundred seventy-five (775) jobs annually through December 1, 2025. If the company fails to maintain an average of thirty (30) new jobs in addition to the minimum of seven hundred seventy-five (775), the company shall make an additional PILOT payment of twenty-five percent (25%) of real and personal property taxes in excess of the Base PILOT payment for that year. If the company fails to maintain the required thirty (30) new jobs with an average wage equal to or greater than the average wage of

Nodaway County used in the Missouri Works Program, the company shall make an additional twenty-five percent (25%) PILOT payment as referenced above. If for any reason the company completely vacates or abandons the project, the company is required to pay one hundred percent (100%) of the amounts for ad valorem property taxes for that year and each year thereafter. City may conduct periodic inspections per city code. The city will provide the company with a sales tax exemption certificate for the acquisition of construction materials for the project.

Bond Purchase Agreement

Kawasaki Motors Manufacturing Corp., USA agrees to purchase Series 2015 Industrial Revenue Bonds from the City of Maryville in the maximum amount of twenty-five thousand five hundred thousand dollars (\$25,500,000). These amounts will be deposited in the Project Fund on the closing date. Bonds are issued and secured under the Trust Indenture and Lease Agreement.

Trust Indenture

The Trust Indenture is for the purpose of issuing and securing the twenty-five thousand five hundred thousand dollars (\$25,500,000) in bonds for the project from UMB Bank. The bonds are issued as draw-down bonds. The bonds and interest shall be special obligations of the City payable solely out of rents and revenues derived by the City from the Lease Agreement and not from any other fund or source. Bonds shall not constitute an indebtedness or impact statutory debt limitation and are not payable by any manner of taxation. Bonds are subject to redemption prior to stated maturity upon written direction of the company at a redemption price of one hundred percent (100%) of principal amount and interest. Three separate funds are created with the trustee; Bond Fund, Project Fund, Cost of Issuance Fund. The Bond Fund shall be expended solely for the principal and interest of bonds as they are redeemed or mature. The Project Fund shall be disbursed by the Trustee for payment or reimbursement to the company for project costs. The Cost of Issuance Fund shall be used solely for the purpose of paying issuance costs. The interest rate is one percent (1%) with bonds maturing December 1, 2025.

The impact to each taxing jurisdiction is stated in the Plan for Industrial Development Project and Cost-Benefit Analysis. The exact PILOT payment amounts are shown on "Exhibit 4" of the council packet documents and consist of two hundred fifty-six hundred two hundred sixty-nine dollars (\$256,269) annually for ten (10) years which reflects the current real property taxes Kawasaki pays on the existing facility. This amount is split amongst the taxing jurisdictions with the payment due on or before December 31st of each year. The two hundred fifty-six thousand two hundred sixty-nine dollars (\$256,269) for real property is based on the 2014 assessed valuation of real property. The plan also identifies an additional PILOT payment for new personal property (equipment) in the amount of six hundred ten thousand eight hundred eighty-nine and 71/100 dollars (\$610,889.71) over a ten (10) year period. This amount is reflective of 50% of the property taxes anticipated over the period on the eighteen million five hundred thousand dollars (\$18,500,000) equipment purchase. The market value of this equipment is fifteen million four hundred eighty-two thousand one hundred seventeen dollars (\$15,482,117) and assessed valuation is five thousand one hundred fifty-five and 55/100 dollars (\$5,155.55) in 2016 and then depreciating over the next ten (10) years. The market value was determined by the acquisition cost of the equipment multiplied by the depreciation schedule. White Goss worked with Kawasaki to breakout equipment by category (3-5-7 year depreciation) and then used depreciation schedules the County Assessors use from State Statutes. The fifty percent

(50%) PILOT payment for new equipment will be new revenue for the taxing entities, with the majority going to the Maryville R-II School District, who will receive four hundred fifty-seven thousand three hundred twenty-two and 90/100 dollars (\$457,322.90) over the period. In 2016, Maryville R-II will receive one hundred thirty-two thousand two hundred eighty-three and 55/100 dollars (\$132,283.55) of the one hundred seventy-six thousand seven hundred three and 72/100 dollars (\$176,703.72) payment or seventy-four and 86/100 percent (74.86%). The City of Maryville will receive an additional sixty-nine thousand four hundred twenty-two and 32/100 dollars (\$69,422.32) over the period.

On January 12, 2015 the City entered into a Funding Agreement with Kawasaki to ensure that all legal fee for preparation of the plan and associated documents would be paid for by the company.

All documents, including the ordinance have been prepared jointly by White Goss, Attorneys at Law representing the City of Maryville and Lewis, Rice, & Fingersh, L.C., representing Kawasaki Motors Manufacturing Corp., U.S.A. All documents have been prepared in conformance with requirements for Industrial Revenue Bonds outlined in Chapter 100 of the Missouri State Statutes.

Staff recommended approval of the proposed ordinance to approve the Plan for an Industrial Development Project for Kawasaki Motors Manufacturing Corp., USA, authorizing the issuance of Industrial Revenue Bonds, Series 2015, and approving other certain documents and authorizing certain other actions in connection with the issuance of said bonds.

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 approve the proposed ordinance to approve the Plan for an Industrial Development Project for Kawasaki Motors Manufacturing Corp., USA, authorizing the issuance of Industrial Revenue Bonds, Series 2015, and approving other certain documents and authorizing certain other actions in connection with the issuance of said bonds. Upon roll being called, the vote was as follows: Councilman Funston, yea; Councilwoman Martin, yea; Councilman Riggs, yea; Councilman Shipley, yea; Mayor Riedel, yea. Motion carried.

Said bill was then identified as Ordinance No. 7728 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. 2015-17.

AN ORDINANCE TO EXECUTE AMENDMENT NO. 2 TO A DEVELOPMENT AGREEMENT WITH MARYVILLE EAST SIDE DEVELOPMENT, LLC

The City Clerk presented a bill, Bill No. 2015'28 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE TO EXECUTE AMENDMENT NO. 2 TO A DEVELOPMENT AGREEMENT WITH MARYVILLE EAST SIDE DEVELOPMENT, LLC, MARYVILLE, MISSOURI.

On June 23, 2014, the City of Maryville approved a Development Agreement with Maryville East Side Development, LLC, represented by Mark & Myles Burnside regarding a 40 acre tract of land situated along East First Street and Highway 71 Bypass. The property provides a significant opportunity to attract new retail opportunities creating a revitalized commercial area near the eastern entrance of the community.

The original development agreement with Maryville East Side Development, LLC outlined a joint desire to ensure proper infrastructure was provided to the site. According to the agreement, the City and Developer agree to the following conditions:

- Developer to construct a sanitary sewer infrastructure project consisting of proper engineering, Missouri Department of Natural Resources permitting, a five foot (5') wet well application eleven foot (11') deep, valves and pits, pumps and controls, a four inch (4") force main north to a city manhole, and gravity mains/manholes to provide service to at least (3) planned projects
- City agrees to reimburse developer fifty-seven thousand dollars (\$57,000) for cost of sanitary sewer improvements, any project costs in excess of the amount will be borne by the Developer
- City agrees to accept permanent maintenance of sanitary sewer improvements upon inspection, Developer agrees to provide one (1) year warranty period on equipment
- Developer agrees to construct all interior roadways to or exceeding municipal specifications
- Roadways will include raised medians or landscaping to separate driving lanes and parking where appropriate
- Developer agrees to construct a proper storm water detention basin to serve development area
- City agrees to reimburse developer twenty thousand dollars (\$20,000) for construction of proper detention basin
- City agrees to accept permanent maintenance of storm water detention basin upon inspection

On September 8, 2014, the City Council approved Amendment No. 1 to the Development Agreement to facilitate the transfer of associated infrastructure impact fees provided by businesses locating on the property back to the developer for associated infrastructure costs.

Since execution of the original Development Agreement, economic development efforts have led to the location of a Casey's General Store on three and 10/100 (3.10) acres, the transfer of three and 16/100 (3.16) acres to Lettuce Dream, and the purchase of a two and 24/100 (2.24) acre tract and a two and 26/100 (2.26) acre tract by South Cross Properties, LLC for the location of a Pizza Ranch and secondary project to be announced at a later date.

To serve the projects above with proper infrastructure it has been determined that the relocation of a twelve inch (12") waterline is now required. The waterline is currently located under the prime location for the Pizza Ranch facility, and concrete parking for both Pizza Ranch and Lettuce Dream. The relocation would shift the current waterline location to the south in a utility easement and planned east-west roadway. An eight inch (8") main would also extend north along the north-south roadway to serve both lots purchased by South Cross Properties, LLC. The total cost of the relocation is estimated at thirty-one thousand six hundred dollars (\$31,600).

The sanitary sewer infrastructure project for the site is now complete and will serve the above mentioned businesses. The final cost of construction was sixty-six thousand five hundred two and 07/100 dollars (\$66,502.07)

or nine thousand five hundred two and 07/100 (\$9,502.07) over the original estimate included in the Development Agreement. The majority of the additional expense included conduit and a KCPL required pad for secondary electric service to the lift station.

Amendment No. 2 to the Development Agreement proposes the following:

- Increasing the payment to Maryville East Side Development to sixty-six thousand five hundred two and 07/100 (\$66,502.07) to cover all costs for the installation of the sanitary sewer lift station as originally intended.
- City will retain the Sewer Impact Fee from Casey's Marketing Company in the amount of seven thousand two hundred seventy dollars (\$7,270) to assist with the additional cost of sanitary sewer lift station above.
- The City agrees to reimburse the Developer a total of seventeen thousand six hundred dollars (\$17,600) towards the relocation of a twelve inch (12") waterline with an eight inch (8") extension north to serve planned development.

Amendment No. 2 to the Development Agreement with Maryville East Side Development, LLC will provide an additional twenty-seven thousand one hundred two and 02/100 (\$27,102.07) to the project to ensure proper infrastructure development; however the developer has agreed to allow the City to retain seven thousand two hundred seventy dollars (\$7,270) in sewer impact fees bringing the total to nineteen thousand eight hundred thirty-two and 07/100 (\$19,832.07). The FY15 Budget includes two hundred thousand \$200,000 from the Water/Sewer Fund for infrastructure related to economic development. The proposed amended agreement total, along with the Development Agreement with Fountain Park Partners, LLC, will account for one hundred forty-six thousand five hundred two and 07/100 dollars (\$146,502.07) of budgeted funds.

Staff recommended approval of the proposed ordinance to execute Amendment No. 2 to the Development Agreement with Maryville East Side Development, LLC to facilitate the proper installation of sanitary sewer and relocation of waterline infrastructure on the property.

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 twenty-four (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 twenty-four (24) hours prior to the meeting, and was duly passed by unanimous vote.

Motion was made by Councilwoman Martin, seconded by Councilman Funston, to approve Council Bill No. 2015'28 to execute Amendment No. 2 to the Development Agreement with Maryville East Side Development, LLC to facilitate the proper installation of sanitary sewer and relocation of waterline infrastructure on the property. Upon roll being called the vote was as follows: Councilwoman Martin, yea; Councilman Riggs, yea; Councilman Shipley, yea; Councilman Funston, yea; Mayor Riedel, yea. Motion carried.

Said bill was then identified as Ordinance No. 7729 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. 2014-45.

A RESOLUTION TO APPROVE A LOT SPLIT FOR PROPERTY LOCATED AT 1308 SOUTH MAIN STREET OWNED BY MARY MART CORPORATION

The City Clerk presented a bill, Bill No. 2015’29 for a resolution entitled:

A RESOLUTION AUTHORIZING A LOT SPLIT OF PROPERTY LOCATED AT 1308 SOUTH MAIN STREET OWNED BY MARY MART CORPORATION, MARYVILLE, MISSOURI.

On March 17, 2015, staff received a second lot split application from Mary Mart Corporation Vice President, Mark Watkins. The proposed lot split request was to divide a six and 54/100 (6.54) acre tract of the Mary Mart Shopping Center property into two separate commercial tracts. Tract 1 will be a five and 97/100 (5.97) acre commercial area and Tract 2 is a 57/100 (0.57) acre commercial lot containing the former U.S. Cellular building. The purpose of the lot split to accommodate a desired land transaction of the five and 97/100 (5.97) tract containing the Mary Mart Shopping Center. The buyer does not intend to purchase the former U.S. Cellular building with this transaction.

Staff recommended approval of the proposed resolution to approve a lot split for property located at 1308 S. Main owned by Mary Mart Corporation. The lot split request meets the requirements of the Municipal Code of Maryville 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 twenty-four (24) hours prior to the meeting, and was duly passed by unanimous vote.

Motion was made by Councilwoman Martin, seconded by Councilman Riggs, to approve a lot split for property located at 1308 S. Main owned by Mary Mart Corporation 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 Resolution No. 627 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

AN ORDINANCE TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE JUNIOR GOLF FOUNDATION FOR THE WATSON 9 AT MOZINGO LAKE RECREATION PARK

The City Clerk presented a bill, Bill No. 2015’30 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE JUNIOR GOLF FOUNDATION FOR THE WATSON 9 AT MOZINGO LAKE RECREATION PARK, MARYVILLE, MISSOURI

On October 14, 2013, the City of Maryville approved Resolution No. 2013’85 that authorized the Junior Course at Mozingo Lake Committee to oversee fundraising, design, and construction of the Watson 9 golf course at Mozingo Lake Recreation Park. Since that date, the Committee has successfully raised the necessary funds for the construction of the Tom Watson designed Watson 9. Construction of the golf course is now complete and only auxiliary items such as the shelter and the sculpture garden remain.

The Junior Course Committee as originally conceived has now served its purpose and function outlined in Resolution No. 2013'85. At this time, the Committee now desires to service in a primarily philanthropic purpose and, secondarily, in an advisory capacity for the Watson 9 and the Junior Golf Program at Mozingo Lake Recreation Park.

A Memorandum of Understanding (MOU) was presented designed in the spirit of cooperation to establish initial terms and conditions by which the City and Committee will guide the development of the Watson 9 Course and Junior Golf Program at Mozingo Lake Recreation Park. In general, the MOU creates a board known as the "Junior Golf Foundation". The Foundation will be comprised of a five (5) member board. Each board member will be appointed by the Foundation and consist of two (2) members with two (2) year terms and three (3) members with three (3) year terms. The Foundation board will include a non-voting Mozingo staff representative to ensure and facilitate continued cooperation. The function of the Foundation is to serve in a supportive capacity in the growth of the Junior Golf Program on the Watson 9. All rules, regulations, and policy considerations will still require review by the Mozingo Advisory Board and/or approval by City Council.

The initial five member Junior Golf Foundation Board will be selected and appointed by City Council. Candidates will be selected through a standard application process. All future Foundation Board appointments will be selected by existing Foundation Board members and appointed by majority vote by the Foundation and confirmed by the City.

As negotiated in the MOU, the City is proposing to provide in the FY16 Budget an initial payment of \$2,500 to the Junior Golf Foundation to be used towards programming and equipment needs. Moving forward, the City has proposed in the MOU to donate ten percent (10%) of all Watson 9 Course tee-time revenues annually to the Foundation. The donation amount will be calculated every August based on sales figures from July 1 to the previous July 1 (12 month period) and will be dispersed annually the first week of October to the Foundation. This donation will provide a continued source of funding for the Foundation and ensure their continued participation in securing any programming or equipment needs for the Junior Golf Program.

Staff recommended approval of the proposed ordinance to execute a Memorandum of Understanding (MOU) with the Junior Golf Foundation in regards to the operations and fundraising for the Watson 9 at Mozingo Lake Recreation Park.

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 twenty-four (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 twenty-four (24) hours prior to the meeting, and was duly passed by unanimous vote.

Motion was made by Councilwoman Martin, seconded by Councilman Shipley, to execute a Memorandum of Understanding (MOU) with the Junior Golf Foundation in regards to the operations and fundraising for the Watson 9 at Mozingo Lake Recreation Park. Upon roll being called the vote was as follows: Councilwoman

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

Said bill was then identified as Ordinance No. 7730 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. The Memorandum of Understanding was identified as Contract No. 2015-18

AN ORDINANCE TO EXECUTE A CONTRACT WITH PIERCE LUMBER AND SAND COMPANY FOR MATERIAL AND HAULING SERVICES FOR BEACH IMPROVEMENTS AT MOZINGO LAKE RECREATION PARK

The City Clerk presented a bill, Bill No. 2015'31 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE TO EXECUTE A CONTRACT WITH PIERCE LUMBER AND SAND COMPANY FOR MATERIAL AND HAULING SERVICES FOR BEACH IMPROVEMENTS AT MOZINGO LAKE RECREATION PARK, MARYVILLE, MISSOURI

The FY 15 Budget includes twelve thousand dollars (\$12,000) in the Mozingo Recreation Fund for the improvement and re-design of the beach at Mozingo Lake Recreation Park. During the off-season, maintenance staff removed old contaminated sand, smoothed and compacted the sub-grade in preparation for new sand. A three hundred fifty foot (350') terrace was constructed just east of the beach to redirect surface water to alleviate sand erosion. Additionally, a one hundred foot (100') rock pier has been built on the north-west side of the beach to reduce wave erosion. It has been determined that approximately nine hundred (900) ton of sand is necessary to apply a minimal depth of twelve inches (12") over the beach. Quotes have now been received for the delivery of clean washed beach quality sand from two (2) suppliers. Pierce Lumber and Sand Company, Stanberry, Missouri, (Guilford Plant) bid eleven and 50/100 dollars per ton (\$11.50 / Ton) and Holliday Sand and Gravel Company, St. Joseph, Missouri bid twenty-two and 50/100 dollars per ton (\$22.50 / Ton).

The purchase of the recommended sand quantity would total ten thousand dollars (\$10,000) leaving adequate funds for the completion of the remainder of improvements including benches and landscaping.

Staff recommended approval of the proposed ordinance to execute a contract with Pierce Lumber and Sand Company for material and hauling services for beach improvements at Mozingo Lake Recreation Park in an amount not to exceed ten thousand dollars (\$10,000). The purchase will include material and hauling from Pierce Lumber and Sand Company

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 twenty-four (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 twenty-four (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 a contract with Holtman Masonry, Inc. for an amount not-to-exceed twenty-four thousand six hundred dollars (\$24,600) to construct the addition to the Chlorine Dioxide Building at the Maryville Water Treatment Plant. Upon roll being

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

Said bill was then identified as Ordinance No. 7731 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. 2015-19

AN ORDINANCE TO AMEND SECTION 212.235: RESERVATIONS FOR RV CAMPING SPACES OF THE MUNICIPAL CODE OF MARYVILLE

The City Clerk presented a bill, Bill No. 2015'32 for an ordinance entitled:

AN ORDINANCE TO REPEAL SECTION 212.235: RESERVATIONS FOR RV CAMPING SPACES, OF TITLE II. PUBLIC HEALTH, SAFETY, AND WELFARE, CHAPTER 212: MOZINGO PARK REGULATIONS, ARTICLE I: REGULATIONS—GENERALLY, OF THE MARYVILLE MUNICIPAL CODE AND TO ADOPT A NEW SECTION 212.235, PERTAINING TO THE SAME SUBJECT.

Over the past several months, staff has been working with the Mozingo Advisory Board on updates to Chapter 212, which pertains to Mozingo Lake Recreation Park regulations. Once the review with the Mozingo Advisory Board has been completed, staff expects to bring forth a comprehensive code amendment for City Council to consider regarding Chapter 212. However, the website renovation project is currently underway and that project includes the creation of an online based reservation system. As such, a single code amendment is requested so that it may be implemented into the online reservation system.

Per City Code, the current reservation policy for RV's in spaces seventy-six through ninety-five (76-95) restricts the ability to make reservations by "no more than thirty (30) days prior to the first (1st) day of reservation". Staff requested that the Mozingo RV reservation policy be revised to be consistent with the Missouri State Parks System, which allows reservations be made up to six (6) months prior to the first (1st) day of reservation.

Staff recommended approval of the proposed ordinance to amend Section 212:235: Reservations for RV Camping Spaces of the Municipal Code of Maryville to increase from a maximum of thirty (30) days prior of reservation date to a maximum of one hundred eighty (180) days to the reservation date. The proposed code amendment would ensure Mozingo Lake Recreation Park RV reservation policies are consistent with the Missouri State Parks system. Furthermore, increasing the reservation timeline is anticipated to increase the overall number of RV reservations when being utilized with an online reservation system. The six (6) month timeframe will allow guests to plan vacation time at Mozingo Lake Recreation Park well in advance of the date of arrival. The Mozingo Advisory Board unanimously voted to approve the code amendment 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 twenty-four (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 twenty-four (24) hours prior to the meeting, and was duly passed by unanimous vote.

Motion was made by Councilwoman Martin, seconded by Councilman Riggs, to amend Section 212:235: Reservations for RV Camping Spaces of the Municipal Code of Maryville to increase from a maximum of thirty (30) days prior of reservation date to a maximum of one hundred eighty (180) days to the reservation date.. Upon roll being called the vote was as follows: Councilwoman Martin, yea; Councilman Riggs, yea; Councilman Shipley, yea; Councilman Funston, yea; Mayor Riedel, yea. Motion carried.

Said bill was then identified as Ordinance No. 7732 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

AN ORDINANCE TO EXECUTE A CONTRACT WITH NORTHWEST IMPLEMENT FOR THE PURCHASE OF A JOHN DEERE 1550 FRONT DECK ROTARY MOWER AT MOZINGO LAKE RECREATION PARK

The City Clerk presented a bill, Bill No. 2015'33 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE TO EXECUTE A CONTRACT WITH NORTHWEST IMPLEMENT FOR THE PURCHASE OF A JOHN DEERE 1550 FRONT DECK ROTARY MOWER FOR MOZINGO LAKE RECREATION PARK, MARYVILLE, MISSOURI

The FY15 Budget includes \$24,300 in the Mozingo Recreation Fund for the purchase of a front deck rotary mower. The Mozingo Lake Recreation Park Maintenance Division uses front deck mowers as the mainstay of the mowing fleet. These units groom the park and are optimal for mowing the campgrounds (RV, primitive and youth), as well as the cabins and around all shelters. The mowers also maintain the many miles of nature and equestrian trails. The requested mower will replace a sixteen (16) year old unit currently in use. Bids were received from three (3) major suppliers, including Kansas Golf & Turf, Kansas City, Missouri, bid nineteen thousand nine hundred dollars (\$19,900) for a Jacobson Turf Cat; Northwest Implement, Maryville, Missouri, bid twenty thousand eight hundred dollars (\$20,800) for a John Deere 1550; and Professional Turf Products, Kansas City, Missouri, bid twenty thousand five hundred seventeen and 88/100 dollars (\$20,517.88) for a Toro GM 3280-D.

Staff recommended approval of the proposed ordinance to execute a contract with Northwest Implement for the purchase of a John Deere 1550 Front Deck Rotary Mower for Mozingo Lake Recreation Park. Bidders also provided a trade-in allotment for used mowers. The quoted priced from Northwest Implement was \$20,800.00; however a reasonable trade-in value was provided for the 1999 New Holland CM222. The final purchase price from Northwest Implement is nineteen thousand three hundred dollars (\$19,300.00) making them the low bidder.

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 twenty-four (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 twenty-four (24) hours prior to the meeting, and was duly passed by unanimous vote.

Motion was made by Councilwoman Martin, seconded by Councilman Shipley, to execute a contract with Northwest Implement for the purchase of a John Deere 1550 Front Deck Rotary Mower, at the trade-in amount of

nineteen thousand three hundred dollars (\$19,300.00) for Mozingo Lake Recreation Park. 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. 7733 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. 2015-20.

AN ORDINANCE TO EXECUTE A CONTRACT WITH TOWNSEND'S NORTHWEST POWER SALES FOR THE PURCHASE OF A BOBCAT ACD TREE SPADE FOR MOZINGO LAKE RECREATION PARK

The City Clerk presented a bill, Bill No. 2015'34 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE TO EXECUTE A CONTRACT WITH TOWNSEND'S NORTHWEST POWER SALES FOR THE PURCHASE OF A BOBCAT ACD TREE SPADE FOR MOZINGO LAKE RECREATION PARK, MARYVILLE, MISSOURI

The FY15 Budget contains \$13,200 in the Mozingo Recreation Fund for the purchase of a tree spade attachment to be installed on a Bobcat skid loader at Mozingo Lake Recreation Park. The Mozingo Lake Recreation Park Maintenance Division will utilize the tree spade to transplant trees to various areas in the park to provide shade trees for the campgrounds, strategically placed trees for the enhanced playability of the golf course, and aesthetic landscaping around existing and future structures. The tree space will also assist other departments and projects for landscaping improvements in the community. Staff received two (2) proposals, from Townsend's Northwest Power Sales, Maryville, Missouri, at eleven thousand five hundred eighteen and 50/100 dollars (\$11,518.50) and from Nobel Unlimited, Richmond, Missouri at eleven thousand seven hundred sixty-nine thousand and 10/100 dollars (\$11,769.10).

Staff recommended approval of the proposed ordinance to execute a contract with Townsend's Northwest Power Sales for the purchase of a Bobcat ACD Tree Spade in an amount not-to-exceed eleven thousand five hundred eighteen and 50/100 dollars (\$11,518.50).

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 twenty-four (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 twenty-four (24) hours prior to the meeting, and was duly passed by unanimous vote.

Motion was made by Councilwoman Martin, seconded by Councilman Funston, to execute a contract with Townsend's Northwest Power Sales for the purchase of a Bobcat ACD Tree Spade in an amount not-to-exceed eleven thousand five hundred eighteen and 50/100 dollars (\$11,518.50). 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. 7734 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. 2015-21

AN ORDINANCE TO EXECUTE A CONTRACT WITH BLUE SPRINGS MARINE FOR THE PURCHASE OF A PATROL BOAT FOR THE LAKE PATROL DIVISION OF MARYVILLE PUBLIC SAFETY

The City Clerk presented a bill, Bill No. 2015'35 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE TO EXECUTE A CONTRACT WITH BLUE SPRINGS MARINE FOR THE PURCHASE OF A PATROL BOAT FOR THE LAKE PATROL DIVISION OF MARYVILLE PUBLIC SAFETY, MARYVILLE, MISSOURI.

The FY15 Budget contains \$32,500 in the Mozingo Recreation Fund for the purchase of a new patrol boat for the Lake Patrol Division of Maryville Public Safety. The Lake Patrol Division was implemented twenty (20) years ago as Mozingo Lake Recreation Park began to draw significant recreation population for both land and water activities. At that time, one of the challenges was accumulating a fleet of resources suitable for safety of the park. The first patrol boat was a used aluminum sport and fish boat, which was used for several years but less than suitable for rescue type activities. In 2001, a new patrol boat was acquired with an 18" fiberglass center mount and rear working platform. While the unit has served Mozingo Lake Recreation Park well, several modifications were required to make it the functional craft needed for lake safety. The existing unit is in need of significant repair/updates, which made it a critical request during preparation of the FY15 Budget.

A Request for Qualifications (RFQ) was distributed in late February with specifications desired for proper patrol of Mozingo Lake. Bids were opened on March 18, 2015 with two (2) bids submitted. Bids were received from Blue Springs Marine, Blue Springs, Missouri, for a cost of thirty-five thousand eight hundred eighty-one dollars (\$35,881) and the other from Smithville Marine, Smithville, Missouri, at a cost of thirty-nine thousand six hundred sixty-eight dollars (\$39,668).

Both original bids are over the budgeted amount; however Maryville Public Safety has further analyzed the bids and found several cost savings. After looking at options for the Blue Springs Marine patrol boat, staff has arrived at a product within the budget allocation at a total of thirty thousand seven hundred fifty-one dollars (\$30,751).

Staff recommended approval of the proposed ordinance to execute a contract with Blue Springs Marine for the purchase of a patrol boat for the Lake Patrol Division of Maryville Public Safety in an amount not-to-exceed thirty thousand seven hundred fifty-one dollars (\$30,751). The recommended purchase is for an 18' Chaparral with 135 HP, 3.0 liter I/O and a roller trailer. The purchase will ensure staff has adequate resources to ensure safety on the lake at Mozingo Lake Recreation Park. Delivery of the unit is anticipated within thirty to forty-five (30-45) days.

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 twenty-four (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 twenty-four (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

Holtman Masonry, Inc. for an amount not-to-exceed twenty-four thousand six hundred dollars (\$24,600) to construct the addition to the Chlorine Dioxide Building at the Maryville Water Treatment Plant. Upon roll being called the vote was as follows: Councilman Funston, yea; Councilwoman Martin, yea; Councilman Riggs, yea; Councilman Shipley, yea; Mayor Riedel, yea. Motion carried.

Said bill was then identified as Ordinance No. 7735 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. 2015-22

AN ORDINANCE TO DECLARE SURPLUS PROPERTY AND TO ABANDON AN ALLEY LOCATED BETWEEN 116 AND 120 N. WATER STREET

The City Clerk presented a bill, Bill No. 2015'36 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE DECLARATION OF SURPLUS AND ABANDONMENT OF AN ALLEY LOCATED BETWEEN 116 N. WATER STREET AND 120 N. WATER STREET, MARYVILLE, NODAWAY COUNTY, MISSOURI

The Public Works Department has received an application for abandonment of an alley on February 27, 2015, from property owner David Wolf. The requested alley abandonment is located between 116 and 120 Water Street. Per the application, Mr. Wolf provided a plat of the requested alley closure for consideration.

Mr. Wolf has requested the alley abandonment for additional property to build a residential structure on 120 N. Water and assist with meeting necessary setbacks. The alley abandonment will provide an additional eight (8) feet to the property owned by Mr. Wolf and a property owned by Ray Walden Jr.

There is a gas line that runs in this location, however easements are in place to allow for future maintenance. It is the sole responsibility of Mr. Wolf to work with those utilities if any relocation is required to allow for the placement of a new structure. The alley also serves as a private drive for the home at 116 N. Water Street. The property is owned by Ray Walden Jr. who has executed the application agreeing with the proposed alley abandonment.

After a review by the Public Works Director according to Section 545.400 of the Municipal Code of Maryville, it is proposed that the alley segment requested be declared as surplus and abandoned according to Section 545.420.

Staff recommended approval of the proposed ordinance to declare surplus property and abandon an alley located between 116 and 120 N. Water Street. The application for alley abandonment meets all requirements under Article V. Abandonment of City Streets, Alleys, Easements, and Rights-of-way of the Municipal Code of Maryville.

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 twenty-four (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 twenty-four (24) hours prior to the meeting, and was duly passed by unanimous vote.

Motion was made by Councilman Funston, seconded by Councilwoman Martin, to declare surplus property and

abandon an alley located between 116 and 120 N. Water Street. Upon roll being called the vote was as follows: Councilwoman Martin, yea; Councilman Riggs, yea; Councilman Shipley, yea; Councilman Funston, yea; Mayor Riedel, yea. Motion carried.

Said bill was then identified as Ordinance No. 7736 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

AN ORDINANCE TO DECLARE SURPLUS PROPERTY AND TO ABANDON AN ALLEY LOCATED BETWEEN 508 AND 516 N. BUCHANAN STREET

The City Clerk presented a bill, Bill No. 2015'37 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE DECLARATION OF SURPLUS AND ABANDONMENT OF AN ALLEY LOCATED BETWEEN 116 N. WATER STREET AND 120 N. WATER STREET, MARYVILLE, NODAWAY COUNTY, MISSOURI

The Public Works Department received an application for abandonment of an alley on February 27, 2015, from adjoining property owner Bruce Judd. The requested alley abandonment is located between 508 and 516 N. Buchanan Street. Mr. Judd provided a plat of the requested alley closure for consideration.

Mr. Judd has requested the alley abandonment to utilize the additional property to improve his lot at 516 N. Buchanan Street. Mr. Judd desires to demolish the existing home and rebuild a new residential structure on the site. If approved the alley closure will add an additional (6) six feet to each property, both owned by Mr. Judd.

There are several utilities in this location, however easements are in place to allow for future maintenance. It is the sole responsibility of Mr. Judd to work with those utilities if any relocation is required to allow for the placement of a new structure.

After a review by the Public Works Director according to Section 545.400 of the Municipal Code of Maryville, it is proposed that the alley segment requested be declared as surplus and abandoned according to Section 545.420.

Staff recommended approval of the proposed ordinance to declare surplus property and abandon an alley located between 508 and 516 N. Buchanan. The application for alley abandonment meets all requirements under Article V. Abandonment of City Streets, Alleys, Easements, and Rights-of-way of the Municipal Code of Maryville.

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 twenty-four (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 twenty-four (24) hours prior to the meeting, and was duly passed by unanimous vote.

Motion was made by Councilwoman Martin, seconded by Councilman Riggs, to declare surplus property and abandon an alley located between 508 and 516 N. Buchanan. 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. 7737 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

AN ORDINANCE TO EXECUTE A CONTRACT WITH RED MUNICIPAL EQUIPMENT COMPANY FOR THE PURCHASE OF A CCTV INSPECTION TRAILER UNIT

The City Clerk presented a bill, Bill No. 2015'38 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE TO EXECUTE A CONTRACT WITH RED MUNICIPAL EQUIPMENT COMPANY FOR THE PURCHASE OF A CCTV INSPECTION TRAILER UNIT, MARYVILLE, MISSOURI

The Water/Sewer Maintenance Division of Public Works has experienced numerous issues with the department's sewer camera for many years. The design of the existing unit allows the wiring to pull apart easily often placing the unit inoperable. The repair for this issue is costly and takes the unit out of service for weeks at a time. With the camera inoperable, staff does not have the means to get a visual look at problems within the sanitary sewer system. With a renewed focus on inflow and infiltration (I&I) and an inoperable sanitary sewer camera, staff requested that budgeted funds for I&I be used to purchase a Closed Circuit Television (CCTV) Inspection Trailer Unit that is a crawler camera system to provide detailed videoing of pipes to identify problems more effectively.

With numerous I&I issues within the sanitary sewer system, the FY15 Budget contains seven hundred thousand dollars (\$700,000) to begin addressing issues. With the creation of a new Sewer Maintenance Division in Public Works, staff requires the proper equipment to make a significant impact in the reduction of I&I.

Staff has viewed the demonstration of two (2) different units and placed a Request for Proposals (RFP) for bids on specified units. Bids were opened March 25, 2015. Base bids were received from Red Municipal Equipment Company, at one hundred fifteen thousand dollars (\$115,000.00) and Midwest Vac Products, LLC, at one hundred eighteen thousand four hundred eighty-seven dollars (\$118,487.00).

The RFP also included a list of bid alternates that staff felt were crucial to the unit, which included an additional LED Camera, Compact Trac Transporter, spare parts kit, Wireless push cable, centering ball for a 6" mini camera, and a three (3) year warranty. Red Municipal Equipment Company bid all alternates for a total cost of forty-seven thousand two hundred fifty-nine thousand and 84/100 dollars (\$47,259.84) while Midwest Vac Products, LLC only bid three (3) of the six (6) alternates for a total of sixteen thousand five hundred fifty dollars (\$16,550). The company felt the alternates were not necessary for the unit they submitted.

The unit will be the crucial piece of equipment for the new division and therefore staff recommended the apparent low bid with all bid alternates for a total of one hundred sixty-two thousand two hundred fifty-nine and 84/100 dollars (\$162,259.84). The additional tools will assist staff in locating, identifying, and correcting problems within the sanitary sewer system. The CCTV Inspection Trailer Unit will allow the City to pinpoint future projects to make significant impacts in I&I reduction.

Staff recommended approval of the proposed ordinance to execute a contract with Red Municipal Equipment Company for the purchase of a CCTV Inspection Trailer Unit in an amount not to exceed one hundred sixty-two thousand two hundred fifty-nine and 84/100 dollars (\$162,259.84). On or before July 1, 2015, the mechanical wastewater treatment system will be operational and begin incurring additional costs to unnecessarily treat I&I as

opposed to the current lagoon system. Any immediate improvements that can be made to reduce I&I will reduce electric and other operational costs at the new facility. Elimination of I&I will also assist in reducing backups and potential claims in peak flows. The CCTV Inspection Trailer Unit will become the primary piece of equipment for the new Sewer Maintenance Division of Public Works and ensure they are effectively and efficiently correcting sanitary issues.

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 twenty-four (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 twenty-four (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 Red Municipal Equipment Company for the purchase of a CCTV Inspection Trailer Unit in an amount not to exceed one hundred sixty-two thousand two hundred fifty-nine and 84/100 dollars (\$162,259.84). 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. 7738 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. 2015-23

AN ORDINANCE TO APPROVE A PRELIMINARY PLAT OF FOUNTAIN PARK SUBDIVISION

The City Clerk presented a bill, Bill No. 2015'39 for an ordinance entitled:

AN ORDINANCE TO APPROVE THE PRELIMINARY PLAT OF FOUNTAIN PARK SUBDIVISION, AN ADDITION OF THE CITY OF MARYVILLE, NODAWAY COUNTY, MISSOURI, AND TO AUTHORIZE THE CITY CLERK TO ENDORSE APPROVAL OF THE COUNCIL ON THE PLAT

Robert J. Barmann Jr. and Billy E. Ingles, managers of Fountain Park Partners, LLC a Missouri Limited Liability Company, have submitted a preliminary plat for Fountain Park Subdivision which is located at the southwest corner of South Main Street and Carefree Drive.

The 13.29 acre subdivision is a replat of the original Lot 4 of Fountain Park Subdivision. This new subdivision will contain four (4) new commercial lots, a new street, new water lines and a new sanitary sewer line. The proposed street, Fountain Parkway, is a fifty feet (50') wide right of way that dead ends at Lot D. During a second phase of this subdivision, this street will continue through Lot D and connect with Carefree Drive. A new sanitary sewer line is proposed to extend from the existing sanitary that runs along the western boundary of the subdivision. A new 12" water line will run parallel to Carefree Drive and a new 10" water line will extend along the western boundary to the property. Storm water for the subdivision is taken care of by an existing detention area at the northwest corner of the subdivision and another planned detention area at the southwest corner of the subdivision.

Provided below is a summary of adjacent zoning and land uses surrounding the subject site.

Location	Existing Land Use	Comprehensive Plan Designation	Current Zoning
Subject Site	Vacant	Light Industrial (LI)	C-3, Commercial
North	Commercial & Residential Duplexes	Commercial (COM) Civic (CIV) Industrial (IND) Medium Density Residential (MDR)	C-3, Commercial R-2M, Single Family
South	Manufacturing	Industrial (IND)	M-2, Heavy Industrial
East	Commercial	Commercial (COM)	C-3, Commercial
West	Residential	Low Density Residential (LDR)	R-2M, Single Family

The existing land uses around the subject site include to the north is commercial development with a few residential duplexes. To the south is manufacturing, to the east is commercial and to the west is residential.

Section 410.100 of the Maryville Municipal Code outlines the requirements for preliminary plat submittal. The preliminary plat does not meet the following requirements:

- 3:** The names of adjacent subdivisions or the names of the record owners of adjoining parcels of the un-subdivided land.
- 8:** A plan of proposed water distribution system, sanitary sewers and storm sewers showing pipe sizes and locations of valves, fire hydrants and fittings, including total annual service loading projections on receiving systems, i.e., water, sewer and storm drainage based on a ten (10) year incident.
- 9:** Planned locations of sidewalks and street lights.
- 11:** The building setback lines and dimensions for all front and side yards as stated in the Zoning Code.
- 12:** Indication of any portion of the subdivision for which a final plat is to be proposed if the subdivision is to be developed in stages.
- 14:** Designation of the proposed uses of the land within the subdivision and proposed changes in zoning district designation, if any.

As required by ordinance, copies of the preliminary plat were distributed to utility entities and the Public Safety Department. Notices have also been sent to adjoining property owners as stipulated in Section 410.115.

On January 26, 2015, the City Council approved a Development Agreement with Fountain Park Partners, LLC to assist with appropriate development of water and sewer line infrastructure. The Development Agreement reimburses Fountain Park Partners, LLC a total of eighty thousand dollars (\$80,000) for said improvements. Wells Bank of Platte City, MO has filed an application to construct a new banking facility on Lot B. The three thousand four hundred (3,400) square foot building will have three (3) drive through lanes, one with ATM access and will be staffed to offer a full line of personal and business deposit and loans amount including fixed rate mortgages for residential and agricultural real estate. With the bank as an anchor, additional economic development is anticipated and is accounted for in the initial site plan.

Staff recommended approval of the proposed ordinance to approve the preliminary plat for Fountain Park Subdivision. Although the preliminary plat does not contain some of the information required by the ordinance, many of these items are minor in nature. This commercial subdivision fits within the context of the Maryville Comprehensive Plan and fills a need for commercial growth and economic development for the City of Maryville.

The Planning & Zoning Commission met on March 25, 2015. After much discussion regarding sidewalks and if they were needed in this subdivision, there was a motion made to approve the preliminary plat with the condition that the eight inch (8”) waterline on the northeast corner of Lot A is to be changed to at least a ten inch (10”) water line. The motion was seconded and passed 5-1.

Staff recommend approval of the preliminary plat for Fountain Park Subdivision with the Planning & Zoning Commission recommendation.

Upon motion duly made, said bill was read by title on the first reading, a copy of said bill having been made available for public inspection by filing the same in the office of the City Clerk more than 24 hours prior to the meeting, and was duly passed by unanimous vote.

Upon motion duly made, said bill was read by title on the second reading, a copy of said bill having been made available for public inspection by filing the same in the office of the City Clerk more than 24 hours prior to the meeting, and was duly passed by unanimous vote.

Motion was made by Councilwoman Martin, seconded by Councilman Shipley, approval of the preliminary plat for Fountain Park Subdivision with the Planning & Zoning Commission recommendation. Upon roll being called the vote was as follows: Councilman Funston, yea; Councilwoman Martin, yea; Councilman Riggs, yea; Councilman Shipley, yea; Mayor Riedel, yea. Motion carried.

Said bill was then identified as Ordinance No. 7739 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

TRAFFIC MANAGEMENT FOR WEST NINTH STREET

On March 9, 2015, the City Council approved an asphalt mill and overlay contract with Keller Construction which included West 9th Street from Main to Northwest Missouri State University. The road has deteriorated due to improper management of storm drainage and high traffic volumes to and from campus. The roadway has been in poor condition for several years; however the repair has been delayed to allow the construction of the 7th Street & 9th Street Trail Project. The construction of the trail is now complete allowing for the overlay to proceed. The Street Maintenance Division of Public Works has begun installing new curbs along this segment to manage storm water and lengthen the life of the overlay. With repaired street conditions and new curbs, and a trail connecting campus to Water Tower and Franklin Park, traffic volumes along W. 9th Street are expected to remain high.

The block of West 9th Street between Walnut and Mulberry presents a challenge for motorists. The roadway segment is twenty-two feet (22') wide with parking permitted along the north side. During high volume traffic periods, motorists are challenged with navigating two-way movements. Often cars will wait for others to pass around on-street parking at dangerous locations near the intersections at Walnut and Mulberry.

There are two (2) options to remedy the traffic concern along West 9th Street. The City Council has the ability under Section 335.100 of the Municipal Code of Maryville to adopt an ordinance designating no parking along segments where traffic safety is a concern. It appears that all residences along the North side of 9th Street have additional parking behind the structure. Removal of no parking in this block would allow for safe two-way traffic.

Another option is to designate 9th Street between Walnut and Mulberry as a one-way street under Section 330.010 of the Municipal Code of Maryville. A one-way street designation would alleviate two way conflict and allow for parking on the north side to continue as is.

Either option above would require additional signage installation by the Public Works Department. The additional signs are estimated between one hundred and two hundred dollars (\$100 - \$200).

Council Members recommended notifying property owners along this street to gauge feedback of the two (2) options presented. Staff prefers the designation of 9th Street from Walnut Street to Mulberry Street, as no parking to improve traffic flow and for safety purposes. One-way streets are difficult for drivers and more specifically students to adhere to and are considered a more aggressive form of traffic management.

TWENTY (20) YEAR ANNIVERSARY IF MOZINGO LAKE RECREATION PARK

Mozingo Lake Recreation Park opened for fishing on July 28, 1995. This year will mark the 20th anniversary of this event. As a “Thank you” to the community for the support, staff recommended that a celebration be planned with a weekend of events and gathering of the community. Activities throughout the week will be planned to encourage Maryville residents to come out and enjoy the day. It was suggested by staff that this could become an annual event.

Local civic organizations and businesses will be encouraged to participate and assist in the activities. More information will be provided to the City Council, as the plans are being made.

REPORTS

I. STUDENT LIAISON

- *Return from Spring Break* – Northwest Missouri State University Students have returned from Spring Break and are back to class.
- *NWMSU Graduation* – Saturday, May 2, 2015, Northwest Missouri State University will be holding graduation ceremony for eligible students.
- *TechniColor Walk/Run* – the Student Senate and Council are teaming up to hold a Technicolor run/walk at the Auditorium Park, on Northwest Missouri State University campus. It will be a day of activity and fun from 9:00 a.m. until 4:00 p.m. Proceeds will go to the American Cancer Society for Cancer Research

II. CITY MANAGER

- *CTRIP at 314 W. 3rd Street* - On February 23, 2015, the City Council approved a resolution to extend the Campus Town Redevelopment Incentive Program (CTRIP) for an additional two (2) year period. The CTRIP provides an incentive package for property owners to remove unsafe or blighted structures within the Campus Town Overlay (CTO) and assists with the redevelopment of the property. According to the program, approved projects benefit from elimination of tipping fees at the Maryville Transfer Station and a waiver of all permit fees for new construction. In late 2014, an unsafe and dangerous structure was removed at 314 West 3rd Street through an agreement with the Estate of Leanna Walden. New property owner Travis Pierson has applied for and was approved for the CTRIP to facilitate a new structure at this location. The structure will be a single-family four (4) bedroom unit utilized as a rental home. Total reinvestment of the property is estimated at \$100,000.
- *MVDIO Town Hall Meeting* – The Maryville Downtown Improvement Organization, Inc. held a Town Hall Meeting from 6:00 p.m. to 8:00 p.m. on Thursday, March 26, 2015 at the Maryville Community Center. The organization is now affiliated with the Missouri Main Street Connection who had a representative at the meeting to introduce the Missouri Main Street Connection to the community. The meeting presented the community with an opportunity to share ideas and concepts to revitalize Maryville’s downtown district.

Approximately 30 people were in attendance to discuss the future of downtown Maryville. More information about the Missouri Main Street Connection can be found at www.momainstreet.org.

- *2015 ITGA Annual Conference* – The City of Maryville is pleased to announce that Assistant City Manager, Ryan Heiland and City Manager, Greg McDanel have been selected to be presenters at the 2015 International Town & Gown Association (ITGA) Annual Conference at George Washington University in Washington D.C. The conference is May 31 through June 3, 2015 and is an occasion for elected officials and city administrators to engage with university professionals and students and share best practices. The presentation is entitled “Planning & the Town-Gown Neighborhood” and will focus on the City’s collaboration with Northwest Missouri State University to work through neighborhood issues adjacent to campus, transform, and revitalize blighted areas. The presentation will elaborate on the Maryville Comprehensive Plan, creation of the Campus Town Overlay (CTO) and Campus Town Redevelopment Incentive Program (CTRIP), Big Green Move-Out, infrastructure partnerships, and the Off-Campus Living Guide. The selection marks the third consecutive year Maryville has been selected to present on a third separate Town-Gown partnership. Other presenters will include The Ohio State University, the City of Clemson/Clemson University, Oregon State University, Iowa State/City of Ames, City of Eugene/University of Oregon, University of North Carolina Chapel Hill, Fort Collins/Colorado State University, La Trobe University (Australia), and the University of Manchester (England).
- *Munn Avenue & 3rd Street Sewer Project* - On October 13, 2014, the City approved a contract with White Cloud Engineering & Construction Company for the design-build of the Munn & 3rd Street Sewer Project. The project installs a new sewer main along 3rd Street east of Munn Avenue to alleviate numerous back-ups in the area. Several homes share a private sanitary sewer line due to the lack of a main. Late last week, the contractor completed the main line and service installation and will be settling trenches and driveways this week. The total cost of the project is \$44,444. The FY15 Budget included \$110,000 in the Water/Sewer Fund for this project.
- *DARE Auction* - DARE Maryville held its annual dinner and fundraising auction on Saturday, March 14th at the St. Gregory’s gymnasium. Attendance was lower than prior years due to several other community events, but the generosity of those present made up for the attendance. Approximately eleven thousand five hundred dollars (\$11,500) was made to help sustain the DARE program and its various efforts. The 22nd annual event was organized by Sgt. Rick Smail and the DARE Maryville Board. A special thank you is deserved to all the local businesses and citizens who provided auction items for the event.
- *Peach Creek Stormwater Improvements RFP* – The City of Maryville is seeking bids for a firm to provide clearing, widening, straightening, and relocation of approximately five hundred (500) linear feet of Peach Creek at the south end of Maryville to assist with the flow of the creek. Peach Creek is a major drainage way for the community and often a source of flooding during high rainfall events. Several locations along the channel present a bottleneck issue that further backup storm drainage along the corridor. The Request for Proposals (RFP) allows for a total of sixty (60) calendar days to complete the project. A pre-bid meeting

will be held on Tuesday, March 24, 2015 at 10:00 a.m. in the City Council Chambers followed by a site visit for interested contractors. Proposals will be accepted until Tuesday, April 7, 2015 at 10:00 a.m.

- *4th Street Improvement Project* – Construction on the 4th Street Improvement Project has progressed over the past several weeks with the contractor remaining on schedule for a May completion. The contractor is nearing completion of concrete installation and light pole installation is complete. On March 25, 2015, KCP&L assisted the contractor in finalizing the light connections and proceeded to light the corridor. The decorative street lights significantly transform the area at night and provide for additional security. Each decorative light pole also includes a shade on the backside to prevent light directly entering the adjacent structures. It appears that the subcontractor may be onsite this week to begin landscaping efforts which will be followed by an asphalt mill and overlay of the roadway. A non-conforming billboard has also been removed from the corridor through a separate agreement with the First Christian Church and Lamar Advertising.
- *Board of Code Appeals* - The Board of Code Appeals met on Wednesday, March 26, 2015 to address three (3) structures tagged as unsafe and dangerous buildings. The board held a series of hearings and was to determine a Findings of Fact based upon evidence offered as to whether the building in question is a “dangerous building” as defined by Section 530.010 of the Municipal Code of Maryville. The structure at 212 West 2nd Street was determined to be a substandard building and the board has ordered it to be demolished. The property owner has sixty (6) days to remove the structure before the City can act under Section 530.100. A structure at 1321 East 2nd Street was declared a substandard building; however the board granted the property owner ninety (90) days to make repairs. The final structure located at 202 S. Hester was determined a substandard building and the board provided the property owner ninety (90) days to demolish. The property owner submitted a letter requesting the additional time to remove the structure on their own.
- *Integrated Animal Health at Center for Innovation and Entrepreneurship (CIE)* – On Monday, March 16, 2015 the City of Maryville assisted with welcoming Integrated Animal Health (IAH) to the Dean L. Hubbard Center for Innovation and Entrepreneurship (CIE) on the campus of Northwest Missouri State University. IAH has entered into a ten (10) year agreement with Northwest to utilize the analytical laboratory and conduct trials through the university’s Department of Agricultural Sciences Department. Trials are anticipated to show efficacy in live weight gain in beef cattle, sheep, swine, poultry, and aquaculture. The announcement came just a few weeks after IAH established its North American base in the Kansas City Animal Health Corridor. Executives from the Australian based company were in attendance and praised Northwest Missouri State University for the partnership ahead. The cooperation will allow students to play a large roll in refining cutting-edge science and technologies and utilize those technologies in the field. IAH has commercialized over seventy (70) products including natural tick repellants and mastitis control technology for use in the cattle feedlot industry.
- *Mozingo Lake Recreation Park Website Redevelopment* - Hue Labs continues to make progress on the Mazingo Lake website update. Staff is expecting to receive a working, rough copy of the website the week

of March 30th. The website will be reviewed to work out any issues and to enhance the content. The project remains on schedule and we expect to have the website fully operational by the end of April.

- *Welcome Center at Mozingo Lake Recreation Park* -Mozingo staff will be meeting with SFS Architecture on Tuesday, March 31, 2015, for the initial consultation on the design of the Welcome Center at Mozingo Lake Recreation Park. Staff will be giving SFS Architecture a tour of the park, review of the project site, and discuss preliminary needs for the structure.
- *Cabins at Mozingo Lake Recreation Park* -Last week, staff from United Electric Cooperative performed an energy audit on Cabins 3 and 7. The purpose of the audit was to analyze the energy efficiency of the cabins and determine if there are any areas for improvement. United Electric is performing this service for free and will provide a report to staff on their energy audit findings. Once presented with the findings, staff will be able to address any inefficiencies in all of the cabins to improve the overall energy efficiency of the cabins and the overall park.
- *Golf Tournament at Mozingo Lake Recreation Park* - Mozingo Lake Recreation Park held its first golf tournament on March 27 and 28, 2015. The tournament was the Graceland Invitational hosted by Graceland University out of Iowa. The men's & women's tournament was made up of fourteen (14) teams from several states adjacent to Missouri and contained approximately 130-140 players. This is the first of two (2) tournaments that Graceland hosts at the Sechrest 18, with the second tournament occurring at the end of April.
- *Family Pass at Mozingo Lake Recreation Park* - Mozingo Lake Recreation Park and Maryville Parks and Recreation have partnered together to provide families with a pass for the premier recreational amenities in Maryville. The Active Family Pass allows families to join the Maryville Community Center, Maryville Aquatic Center, and Mozingo Lake Recreation Park Golf Course for one low fee for unlimited use. Payment plans are also available and more information can be obtained by contacting either Maryville Parks and Recreation or Mozingo Lake Recreation Park.
- *Maintenance at Mozingo Lake Recreation Park* – Mozingo Maintenance Superintendent Ron Darnell provided a summary of the majority of projects that the Mozingo maintenance department completed from October 1, 2014 to date. The report was provided to give an idea of the amount of work that is accomplished by the Mozingo Maintenance staff during the off-season in order to prepare for the next peak season.

III. COUNCIL

- *Follow-up Meeting with the New Nodaway Humane Society* – A follow-up meeting with the New Nodaway Humane Society is scheduled for Tuesday, March 31, at 4:00 p.m.
- *Cornerstone Health Resource Center* – Mayor Riedel will be presenting a proclamation at the Cornerstone Health Resource Center Open House on Wednesday, April 1, 2015.
- *Candidates Forum Scheduled* – The public is invited to the candidates forum scheduled for Tuesday, March 31, 2015, at 7:00 p.m., in the Nodaway County Courtroom.

ADJOURNMENT

Motion was made by Councilwoman Martin seconded by Councilman Riggs, that the meeting be adjourned. Upon the roll being called, the vote was as follows: Councilwoman Martin, yea; Councilman R i g g s , yea; Councilman Shipley, yea; Councilman Funston, yea; Mayor Riedel, yea. Motion carried. Meeting was adjourned at 8:35 p.m.

Renee Riedel, Mayor

ATTEST:

Sheila Smail, City Clerk