

**Maryville City Council**  
**Regular Scheduled Meeting**  
April 13, 2015  
7:00 p.m.

The Council of the City of Maryville, Missouri, met in regular session on Monday, April 13, 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 Timothy Shipley, Jeff Funston, Rachael Martin and Gerald Riggs. 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. It was requested that two (2) items be added to the agenda, which included a discussion regarding the 4<sup>th</sup> Street Project and the GFOA Budget Award Presentation.

The discussion of the 4<sup>th</sup> Street Project was regarding a retaining wall that needs to be replaced and was considered an urgent matter.

The GFOA Budget Award Presentation was received late. Staff desired to make the presentation.

Motion was made by Councilwoman Martin, seconded by Councilman Funston, that the agenda be approved as amended. 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 March 9 and 30, 2015, be noted at this time.

Motion was made by Councilman Funston, seconded by Councilman Shipley, 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 March 2015, the City received non-reoccurring funds from the Nodaway County Economic Development (NCED) reimbursement of NAP credits - 4th Street Project (\$265,982.13); Missouri Department of Transportation (MODOT) reimbursement request #16 for 7th/9th Streets trail project (\$43,146.45).

Non-reoccurring disbursements for the month of March 2015 included payments to David E. Ross - pay estimate #18 on WWTP (421,761.36); HDR Engineering - WWTP engineering services (36,549.07); Information Technologies, Inc. - annual software maintenance (public safety) (16,626.00); Lou Fusz Ford - two public safety utility vehicles (51,955.00); Orr Construction - 4th Street Project, pay application #6 (361,931.33).

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

## **PAYMENT VENDOR SCHEDULE**

Motion was made by Councilwoman Martin, seconded by Councilman Funston, 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 ANNEXING CERTAIN REAL ESTATE OWNED BY DOUBLE B DEVELOPMENT LLC, A MISSOURI LIMITED LIABILITY COMPANY**

The City Clerk presented a bill, Bill No. 2015'40 for an ordinance entitled:

### **AN ORDINANCE ANNEXING CERTAIN REAL ESTATE OWNED BY DOUBLE B. DEVELOPMENT, LLC, A MISSOURI LIMITED LIABILITY COMPANY, MARYVILLE, MISSOURI.**

Bill and Bonita Ingels, owners of Double "B" Development, have submitted for voluntary annexation of one and 16/100 (1.16) acres of property located at the south end of Serenity Loop. The property is contiguous with the city limits in that area. City utilities are available for future development of this property, some of which were stubbed over previously as the owner had intent of eventually annexing and developing the lots.

Missouri Revised Statutes Section 71.012 outlines voluntary annexation procedures for cities regarding unincorporated areas that are contiguous and adjacent to existing corporate limits. The section provides that upon presentation of a petition, the City Council shall hold a public hearing concerning the proposed annexation not less than fourteen (14), nor more than sixty (60) days after the petition for annexation is received. The hearing shall be held not less than seven (7) days after notice is provided in newspapers of the general circulation. The public hearing for the petition was held on March 30, 2015 and no objections were made.

According to statutes, a fourteen (14) day period is required to allow written objections to the proposed annexation. As of this date, no written objection have been submitted to the City of Maryville regarding the voluntary annexation.

Voluntary annexation of the property will generate additional property tax revenue to the City of Maryville, Parks and Recreation, and the Maryville Public Library. Estimates are minimal and will depend on the number of residential units developed. No extension of city services are required.

Approve the proposed ordinance annexing certain real estate owned by Double B. Development, LLC, A Missouri Limited Liability 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.

A motion was made by Councilwoman Martin, seconded by Councilman Riggs, to approve Council Bill No. 2015'40, to execute an ordinance annexing certain real estate owned by Double "B" Development, LLC, a Missouri Limited Liability Company. 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. 7740 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

**AN ORDINANCE DECLARING THE RESULTS OF THE ELECTION HELD ON APRIL 7, 2015 IN REGARDS TO A PARKS AND RECREATION TAX LEVY**

The City Clerk presented a bill, Bill No. 2015'41 for a resolution entitled:

**AN ORDINANCE DECLARING THE RESULTS OF THE ELECTION HELD IN THE CITY OF MARYVILLE, MISSOURI, ON APRIL 7, 2015.**

The Park and Recreation Board has exclusive control of the expenditure of all money collected to the credit of the Park Fund and of the supervision, improvement, care and custody of the Parks and Recreation facilities of the City. All monies received are deposited to the credit of the Park Fund and are kept separate and apart from the other monies of the City and drawn upon by the properly authenticated vouchers of the Park and Recreation Board. The Board has the power to purchase or otherwise secure grounds to be used for such parks and has the power to appoint a suitable person, to be known as the Director of Parks and Recreation, to take care of said parks and necessary assistants for the Director and fixes their compensation and/or removes such appointees. The Park and Recreation Board has all powers necessary to carry out the spirit and intent of Sections 90.500 to and including 90.570, of the Missouri State Statutes.

At the July 10, 2014 meeting of the Maryville Parks and Recreation (MPR) board, the board approved a proposal to request City Council approval for a tax levy issue to be placed on a general municipal election. MPR proposed a 10 cent per \$100 in assessed valuation tax levy increase for general operations. Maryville Parks and Recreation had not requested a levy increase since 1987. Citing increases in fixed costs, including utilities, health insurance, liability and minimum wage, the board has made budget cuts and reductions to stay within the funds

available. Some cuts for example include the elimination of a full-time maintenance position, reduction in part-time staff, and reduced hours of operation at the Maryville Community Center.

Senate Bill 711 reduced the Parks and Recreation tax rate ceiling to \$.30 per \$100 of assessed valuation and general improvements have not been made since without utilizing fund balances, grants, and donations. The proposed ballot language increases the tax levy to \$.40 per \$100 of assessed valuation for taxes imposed in 2015 (after adjustments for reassessment or other tax levy limitations) for the purpose of acquiring, improving, operating and maintaining, public parks and recreational facilities.

On January 26, 2015, MPR obtained City Council approval to place a tax levy issue on the April 7, 2015 election. The election was held on Tuesday, April 7, 2015 and more than a simple majority of the qualified voters in Maryville voted in favor of the tax levy. The results were five hundred twenty-six (526) in favor and three hundred forty-nine (349) opposed, passing. The tax levy for Parks and Recreation will increase by \$.10 per \$100 of assessed valuation.

Staff recommended approval of the ordinance declaring the results of the election held on April 7, 2015 in regards to a Parks & Recreation tax levy.

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 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 Funston, to execute an Ordinance declaring the results of the election held on April 7, 2015 in regards to a Parks & Recreation tax levy. Upon roll being called the vote was as follows: Councilman Riggs, yea; Councilman Funston, yea; Councilwoman Martin, yea; Mayor Riedel, yea. Motion carried.

Said bill was identified as Ordinance No. 7741 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

#### **PRESENTATION OF APPRECIATION OF COUNCILMAN FUNSTON SERVING**

Council Member Jeff Funston was presented a departure gift and was thanked for his dedicated service to the City of Maryville, as a member of the City Council. Funston left his post.

#### **AN ORDINANCE FINDING & DECLARING RESULTS OF A GENERAL ELECTION HELD APRIL 7, 2015 ELECTING JASON MCDOWELL AND GERALD RIGGS AS MEMBERS OF THE CITY COUNCIL**

The City Clerk presented a bill, Bill No. 2015'42 for an ordinance entitled:

**AN ORDINANCE FINDING AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD IN THE CITY OF MARYVILLE, MISSOURI, ON APRIL 7, 2015, FINDING AND DECLARING THAT JASON MCDOWELL AND GERALD RIGGS WERE DULY ELECTED AS MEMBERS OF THE CITY COUNCIL OF THE CITY OF MARYVILLE, MISSOURI, FOR A THREE YEAR TERM.**

The City Council is composed of five (5) members, elected from the City at large with all positions being staggered three (3) year terms. Elected Council members take office on the first (1st) Monday following their election. Procedures for the nomination of candidates and holding of municipal elections are governed by the provisions of State law, including Sections 78.470 through 78.520, RSMo.

Each candidate to be a member of the Council shall be at least twenty-one (21) years of age, a citizen of the United States and a resident of this City for at least one (1) year before the date of the filing for such office. The City Council possesses powers as are enumerated in Section 78.570, RSMo.

An election was held on April 7, 2015, throughout the City of Maryville to elect two (2) members to the City Council. The positions up for election are currently held by Jeff Funston and Jerry Riggs. Michael Baumli, Jason McDowell, Gerald (Jerry) Riggs and Elizabeth (Beth) Hawkins filed for candidacy for the Maryville City Council. Jason McDowell and Jerry Riggs were elected at large at said election to serve three (3) year terms.

At the time of filing all candidates signed a Candidates Declaration for Filing document, verifying they qualify for the office of the Maryville City Council. Staff also verified their qualifications.

Staff recommended that Council approve an ordinance declaring Jason McDowell and Jerry Riggs as members of the Maryville City Council for a three (3) year term.

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 Shipley, seconded by Councilwoman Martin, to approve the proposed ordinance declaring Jason McDowell and Jerry Riggs as members of the Maryville City Council, for a three (3) year term. Upon roll being called the vote was as follows: Councilman Riggs, yea; Councilman Shipley, yea; Councilwoman Martin, yea; Mayor Riedel, yea; Motion carried.

Said bill was then identified as Ordinance No. 7742 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

#### **OATH OF OFFICE**

The City Clerk administered the Oath of Office to Gerald Riggs and Jason McDowell. Council Members Riggs and McDowell took their positions as Members of the City Council.

#### **APPOINTMENT OF MAYOR**

Mayor Riedel declared the floor to be open for nominations for Mayor for the coming year.

A nomination was made by Councilwoman Martin, that Mayor Riedel be appointed for a second term as Mayor of the City of Maryville.

With no further nominations, Mayor Riedel announced the nominations for Mayor had ceased. Nomination was seconded by Councilman Shipley, to appoint Mayor Riedel as Mayor for the coming year. Upon roll being

called, the vote was as follows: Councilman Riggs, yea; Councilman Shipley, yea; Councilman McDowell, yea; Councilwoman Martin, yea; Mayor Riedel, yea. Motion carried unanimously. Council Member Renee Riedel shall serve as the Mayor of the City of Maryville for the coming year.

#### **APPOINTMENT OF MAYOR PRO-TEM**

Mayor Riedel declared the floor open for nominations for Mayor Pro-Tem. Councilwoman Martin nominated Councilman Shipley as Mayor Pro-Tem for the coming year.

With no further nominations, Mayor Riedel announced the nominations for Mayor Pro-Tem had ceased. Nomination was seconded by Councilman Riggs, to appoint Councilman Shipley as Mayor Pro-Tem for the coming year. Upon roll being called, the vote was as follows: Councilman McDowell, yea; Councilwoman Martin, yea; Councilman Riggs, yea; Councilman Shipley, yea; Mayor Riedel, yea. Motion carried.

Mayor Riedel and Mayor Pro-Tem Shipley accepted their positions.

#### **LIQUOR LICENSE DATA FOR FIRST QUARTER 2015**

Dir., Public Safety Keith Wood provided a report of violations incurred during the first quarter of 2015. Director Wood reported a decline in the number of violations overall and noted one business had a total of eight (8) violations but five (5) were self-reported. There was a higher number of sexual assaults during the period but may be more being reporting.

Dir., Wood stated that overall it had been an uneventful time period.

Staff felt it is important to continue the quarterly reports to keep the City Council abreast of violations that may need to be considered in the future if a need arises that a suspension may need to be considered.

#### **A RESOLUTION FOR NODAWAY VALLEY BANK'S PREMIUM ELECTRONIC BANKING SERVICES AGREEMENT**

The City Clerk presented a bill, Bill No. 2015'43 for an ordinance entitled:

##### **A RESOLUTION FOR NODAWAY VALLEY BANK'S PREMIUM ELECTRONIC BANKING SERVICES AGREEMENT.**

In conjunction with the City's banking services agreement with Nodaway Valley Bank, there are additional standard banking agreements regarding wire transfers, online cash management and ACH origination. The Bank has recently upgraded their online banking features and consolidated all the various agreements into one master agreement with appendices. This new agreement will replace the existing individual agreements and also allows the council to appoint certain positions as "Authorized Representatives" to enter into the agreement on its behalf and to make any changes going forward regarding product utilization and users on the signatures of two of the three individuals.

Staff recommended the approval of the proposed resolution for Nodaway Valley Bank's Premium Electronic Banking Services Agreement.

Upon motion duly made, said bill was read by title on the first reading, a copy of said bill having been made available for public inspection by filing the same in the office of the City Clerk more than 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 resolution for Nodaway Valley Bank's Premium Electronic Banking Services Agreement. Upon roll being called the vote was as follows: Councilman Riggs, yea; Councilman Shipley, yea; Councilman McDowell, yea; Councilwoman Martin, yea; Mayor Riedel, yea; Motion carried.

Said bill was then identified as Resolution No. 628 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 MTE OFFICE CENTER FOR COMPUTER SYSTEM UPGRADES FOR MARYVILLE PUBLIC SAFETY**

The City Clerk presented a bill, Bill No. 2015'44 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE TO EXECUTE A CONTRACT WITH MTE OFFICE CENTER FOR COMPUTER SYSTEM UPGRADES FOR THE MARYVILLE PUBLIC SAFETY DEPARTMENT, MARYVILLE, MISSOURI.**

On January 23, 2014, Maryville Public Safety (MPS) received a letter from the Missouri State Highway Patrol (MSHP) regarding the security of department computers/devices connected to the Criminal Justice Information Services (CJIS) Division wide-area-network. Microsoft announced "end-of-life/end-of-support for Windows XP effective April 8, 2014. And the MSHP was notified from the FBI Information Technology (IT) Security Audit team that any devices running on Windows XP will be out of compliance after April 8, 2014. This is due to the CJIS Security Policy requiring all software to remain up-to-date with security patches. Since Microsoft will discontinue the release of patches as a part of end of support, Windows XP cannot meet this requirement. The letter from MSHP stated that beginning in January 2015, MSHP will review devices connected to the CJIS network and that any devices running on Windows XP or older may be subject to limitations and isolation. As of June 2015, any devices remaining on Windows XP will be removed from direct CJIS access in preparation for a Fall 2015 FBI IT Security Audit.

The server, majority of terminals, and other end use devices used by Maryville Public Safety are operating on Windows XP. Maryville Public Safety is unsure if Windows XP units will be removed from CJIS access; however the action would make MPS totally reliable on other agencies for all external computer needs. MSHP has remained in contact with staff and has noted that the June 2015 deadline remains in effect and that MPS remains out of compliance.

The item was not included in the FY15 Budget. During budget preparation, staff was unaware if this mandate and/or the June 2015 deadline would remain in place. MTE Office Center has provided a quote of twenty-seven thousand five hundred dollars(\$27,500) for various computer upgrades to ensure compliance with the MSHP mandate. Upgrades to the MPS server alone are estimated at fourteen thousand five hundred dollars(\$14,500). While this is an unbudgeted item, the FY15 Budget shows the ending fund balance for the General Fund at one

million sixty-five thousand four hundred forty-two dollars(\$1,065,442). Staff anticipates the actual fund balance will be higher and assist with allowing additional reserves to be utilized for this project.

Staff recommended approval of the proposed ordinance to execute a contract with MTE Office Center for Computer System Upgrades for the Maryville Public Safety Department in an amount not-to-exceed twenty-seven thousand five hundred dollars (\$27,500). MTE Office Center of Maryville has installed all current software for MPS and understands the mandated upgrades from MSHP. Expediting the project will ensure there is no loss of connectivity to the CJIS network and the system can continue to serve the officers and community.

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 approval of an ordinance to execute a contract with MTE Office Center for Computer System Upgrades for the Maryville Public Safety Department in an amount not-to-exceed twenty-seven thousand five hundred dollars (\$27,500). Upon roll being called the vote was as follows: Councilman Shipley, yea; Councilman McDowell, yea; Councilwoman Martin, yea; Councilman Riggs, yea; Mayor Riedel, yea; Motion carried.

Said bill was then identified as Ordinance No. 7743 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. 2015-26.

**AN ORDINANCE TO EXECUTE A CONTRACT WITH ORR WYATT STREETSCAPES FOR STORMWATER DRAINAGE IMPROVEMENTS ALONG PEACH CREEK**

The City Clerk presented a bill, Bill No. 2015'45 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A CONTRACT WITH ORR WYATT STREETSCAPES, FOR STORMWATER DRAINAGE IMPROVEMENTS ALONG PEACH CREEK, MARYVILLE, MISSOURI.**

The City of Maryville has budgeted the last several years to improve stormwater drainage along Peach Creek. Peach Creek is the main drainage artery for the majority of stormwater throughout the city. The work that has been accomplished in the past has vastly improved the system and staff feels with each completed phase stormwater drainage issues are further mitigated throughout the community.

Staff released a Request for Proposals (RFP) for the stormwater work that would widen and straighten a five hundred (500) linear foot area of Peach Creek on the south end of Maryville. In the RFP, the Street Maintenance Division of Public Works agreed to provide trucks to haul off tree debris to encourage more competitive bids and reduce cost on the prospective contractor. The RFP was released in March and bids were opened April 7, 2015 with bids were received by Orr Wyatt Streetscapes and Nodaway Contracting Co., Inc.



Company	Phase V	Phase VI	Total
<b>Orr Wyatt Streetscapes</b>	<b>\$8,600</b>	<b>\$8,600</b>	<b>\$17,200</b>
Nodaway Contracting Co., Inc.	\$13,600	\$17,600	\$31,200

Staff recommended approval of the proposed ordinance to execute a contract with Orr Wyatt Streetscape for stormwater drainage improvements along Peach Creek in an amount not-to-exceed seventeen thousand two hundred dollars (\$17,200.00). Continual improvements to drainage channels in Maryville will ensure proper management of storm drainage, especially during high volume events.

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 approval of an Ordinance to execute a contract with Orr Wyatt Streetscape for stormwater drainage improvements along Peach Creek in an amount not-to-exceed seventeen thousand two hundred dollars (\$17,200.00). Upon roll being called the vote was as follows: Councilman McDowell, yea; Councilwoman Martin, yea; Councilman Riggs, yea; Councilman Shipley, yea; Mayor Riedel, yea; Motion carried.

Said bill was then identified as Ordinance No. 7744 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. 2015-27.

**AN ORDINANCE TO EXECUTE A CONTRACT WITH MURPHY TRACTOR & EQUIPMENT COMPANY FOR PURCHASE OF A 2011 HAMM HD13VV COMPACTOR**

The City Clerk presented a bill, Bill No. 2015'46 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE TO EXECUTE A CONTRACT WITH MURPHY TRACTOR & EQUIPMENT COMPANY FOR THE PURCHASE OF A 2011 HAMM HD13VV COMPACTOR, MARYVILLE, MISSOURI**

The Street Maintenance Division of Public Works has been dealing with numerous maintenance issues from the current street roller/compactor machine for the past few years. Over the past few months the issues with the unit have worsened and the roller is now inoperable. Murphy Tractor & Equipment Company has assisted the City with repairs on the unit for many years and has once again inspected the unit. A repair quote has been provided at eight thousand dollars (\$8,000). Staff has inquired about the cost and availability of a newer unit with less hours. Murphy Tractor & Equipment Company stated that they wanted to provide a decent value unit since the City experienced problems with their original unit. The company has provided a quote of nineteen thousand dollars (\$19,000) for a 2011 Hamm HD13VV Compactor with 849 hours. Murphy is willing to provide a seven thousand

(\$7,000) trade in value for the inoperable unit. The total cost of upgrading the unit is twelve thousand (\$12,000) in this scenario.

Without repairing or purchasing a new unit, the Street Maintenance Division does not have equipment to properly patch potholes and ensure decent street conditions.

The FY15 Budget does not include funds for this purchase. Staff has analyzed the General Fund purchase and has identified two (2) line items that could be used toward the upgraded unit. The Chemical line (10-13-03-303-00) used for salt/snow removal chemicals is an option. Currently the City is full on salt/supplies and nine thousand (\$9,000) remains. Staff recommends with combining this amount three thousand (\$3,000) from the Street Repair line item (10-13-03-309-00) for the total of twelve thousand (\$12,000).

Staff recommended approval of the proposed ordinance and execute a contract with Murphy Tractor & Equipment Company for the purchase of a 2011 Hamm HD13VV Compactor in an amount not-to-exceed twelve thousand (\$12,000) for the Street Maintenance Division of Public Works.

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 approval of an Ordinance to execute a contract with Murphy Tractor & Equipment Company for the purchase of a 2011 Hamm HD13VV Compactor in an amount not-to-exceed twelve thousand dollars (\$12,000) for the Street Maintenance Division of Public Works. Upon roll being called the vote was as follows: Councilwoman Martin, yea; Councilman Riggs, yea; Councilman Shipley, yea; Councilman McDowell, yea; Mayor Riedel, yea; Motion carried.

Said bill was then identified as Ordinance No. 7745 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. 2015-28.

#### **DISCUSSION OF 4<sup>TH</sup> STREET PROJECT**

City Manager McDanel reported that the 4<sup>th</sup> Street Project is nearing completion with the asphalt mill and overlay remaining. It was suggested that the project will be completed sometime in May of 2015. The focus of this project was on beautification and the Americans with Disability Act (ADA) compliance. Grant funds were used on this project, excluding the south side area between Fillmore Street and Dunn Street.

The 4<sup>th</sup> Street Project included two (2) failed retaining walls on the south side of 4<sup>th</sup> Street, which were not included in the funded by grants. The first retaining wall was replaced, located in front of Gary's Barber Shop, at 216 West 4<sup>th</sup> Street and the second is located at the 322 North Fillmore Street. At 322 North Fillmore Street the structure was demolished and lot was graded to lower the retaining wall to a four foot (4') retaining wall.

This item was added to the agenda as an emergency in relation to the completion of the project and replacement of wall. A third wall failure has been identified and considered a blighted area at the southeast corner of West 4<sup>th</sup> Street and North Mulberry Street. Orr Wyatt Streetscape, Contractor for the project, bid the five foot (5') sidewalk

and wall with a portion of the stairs to be removed and replaced at the cost of thirty-five thousand dollars (\$35,000).

This portion of the project was not budgeted but it was determined that sixty-seven thousand dollars was budgeted for the construction observation services by SK Design Group and at the current time the City has paid only eighteen thousand nine hundred dollars. Many of the inspection services have been performed in house, saving a sizable amount to pay for the cost of the wall replacement. It was determined that the services to be provided by SK Design would not exceed a total amount of thirty thousand dollars, with the services already incurred. A formal change order will be brought back to the City Council for approval.

A green ink dye will be tested on the back side of one of the new retaining walls to determine whether to die the retaining walls green in the spirit of Northwest Missouri State University (NWMSU) green color.

Staff requested permission to proceed with the removal and replacement of the third failed retaining wall with a section of stairs and five foot (5') wide sidewalk along the West 4<sup>th</sup> Street corridor.

It was asked if the property owner would be contributing funds to the project. Staff will speak with the owner regarding a cost share. Perhaps she would want to contribute and replace the full set of stairs.

Council approved the request to move forward on the removal and replacement of the failing retaining wall, with a section of stairs and five foot (5') sidewalk at the corner of North Mulberry and West 4<sup>th</sup> Street as presented.

This addition to the 4<sup>th</sup> Street Project will remain within budgeted amount and will remain on schedule for completion.

## **GFOA BUDGET AWARD PRESENTATION**

Mayor Riedel announced that for the third consecutive year the City of Maryville has received from the Governmental Financial Officers Association (GFOA), the Distinguished Budget Presentation Award for an outstanding job in preparing a budget document that is precise and transparent.

City Manager Greg McDanel and Dir., Finance Denise Town were congratulated on a job well done.

## **REPORTS**

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

- Northwest Missouri State University (NWMSU) Student liaison to the City Council congratulated Councilmen Riggs and McDowell on being elected to a three (3) year term on the City Council.
- Power Service Awards were received by many organizations at NWMSU for their work and dedication as a vibrant organization on campus.
- The Student Senate is in the process of determining who will serve as the NWMSU Student Liaison to the City Council for the coming school year. Once a selection has been made, Mr. Merrill will bring that person to a meeting and introduce them to the City Council.

### **II. CITY MANAGER**

- The Big Green Move Out event will be held April 27 thru May 1, 2015. This event is an opportunity for students to properly dispose of unwanted products as they prepare to leave their dorms or off-campus housing. Participants interested in collecting and/or disposing items are Northwest Missouri

State University, Big Brothers/Big Sisters of Nodaway County, and the St. Joseph Habitat for Humanity Restore. There will be drop-off sites defined on flyers that will be distributed around town.

- Dir., Public Works C.E. Goodall attended a Polk Township Board meeting to request the Township take part in the resurfacing of the roadway at the city limits on West South Avenue to the new concrete laid east of Icon Road. The estimated cost for mill and overlay of this portion of road was forty-eight thousand dollars. The Polk Township Board has agreed to pay for the cost of milling and overlaying the portion of road between the west city limits on West South Avenue and where the concrete begins east of Icon Road.
- City Staff has contacted property owners along West 9<sup>th</sup> Street, between North Mulberry and North Walnut Street to determine their preference between eliminating parking on the north side of the street or to make this section a one-way street. Two (2) property owners have responded and prefer no parking on the north side of the street. To allow others more time to respond, staff will bring an ordinance to the City Council for consideration at the next City Council meeting.

### **III. CITY COUNCIL**

- Friday, April 17, 2015, Mayor Riedel will be judging a pitch competition.
- Monday, April 20, 2015, at 2:00 p.m., all City Council Members are invited to attend the “I will listen” campaign at NWMSU. The event is to show support for those who have mental disorders. Mayor Riedel will be presenting a proclamation at the event.
- There will be a Northwest Missouri Regional Council of Governments meeting on Monday, April 20, 2015.
- On Wednesday, April 22, 2015, at 9:00 a.m. Council Members are invited to attend the annual “Crime Victims Week” celebration, held at Mazingo Lake Recreation Park. A tree will be planted in honor/memory of those victims. Mayor Riedel will be presenting a proclamation at the event.
- On Monday, April 27, 2015, a Student Panel Discussion will be held at NWMSU at 2:00 p.m.
- On Saturday, April 25, 2015, at 9:30 a.m., Mayor Pro-Tem Shipley will be presenting a proclamation for the Tree City USA/Arbor Day ceremony. Trees will be planted along South Munn Avenue beginning at Maryville High School.

### **ADJOURNMENT**

Motion was then made by Councilwoman Martin, seconded by Councilman Riggs, to adjourn the meeting. Upon roll being called, the vote was as follows: Councilman Riggs, yea; Councilman Shipley, yea; Councilman McDowell, yea; Councilwoman Martin, yea; Mayor Riedel, yea. Motion carried. Meeting was adjourned at 8:00 p.m.

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Renee Riedel, Mayor

ATTEST:

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Sheila Smail, City Clerk