

Maryville City Council
Regular Scheduled Meeting

July 27 2015
7:00 p.m.

The Council of the City of Maryville, Missouri, met in regular session on Monday, July 27, 2015, at City Hall, 415 North Market Street, in said City at 7:00 p.m.

ROLL CALL

The meeting was called to order by Mayor Riedel and roll was called by the City Clerk, with the following present to-wit: Mayor Renee Riedel, Council Members, Rachael Martin, Gerald Riggs, Timothy Shipley and Jason McDowell. Others present were City Manager Greg McDanel; Asst., City Manager Ryan Heiland; City Attorney Taryn Henry; Dir., Public Works C.E. Goodall, Dir., Public Safety Keith Wood; Dir., Finance Denise Town; Human Resource Manager Amy Strough and City Clerk Sheila Smail.

PLEDGE TO THE FLAG

The pledge to the flag was led by Mayor Riedel.

INVOCATION

Councilman McDowell gave the invocation.

APPROVAL OF THE AGENDA

Mayor Riedel requested any changes needed to the agenda, be noted at this time.

City Manager McDanel requested that No. 25, pertaining to an executive session to discuss "Leasing, Purchasing or Sale of Real Estate by a Governing Body" be removed from the agenda.

Motion was made by Councilman Shipley, seconded by Councilwoman Martin, that the agenda be approved as adjusted. 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.

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.

NORTHWEST MISSOURI ENTERPRISE FACILITATION, REQUEST FOR SUPPORT

Board Members Arnie Kreek, Mike Thomson, Jim Jacoby, and Keli Morris, Enterprise Facilitator, of Northwest Missouri Enterprise Facilitation (NWMEF), were present to request of the Maryville City Council consideration of support in the 2016 budget planning. Board Member Jacoby presented to the City Council a summary of the achievements realized by the organization and its clients. Since NWMEF's inception in November of 2006, they have assisted seven hundred thirty-two (732) clients, and one hundred seventy-eight (178) of them were residents of Nodaway County.

NWMEF requested that the City consider increasing their support to ten thousand dollars (\$10,000) for the 2016 fiscal budget. NWMEF is working to gain support from each city in the region by asking them to consider a contribution according to their population.

Mr. Jacoby thanked the Council for their continued support and asked them to consider their request at the time the City's budget is developed.

Mayor Riedel stated that the City would consider their request for support during the development of the 2016 fiscal year budget.

STREET CLOSURE REQUEST, PORTIONS OF S. LAURA AND E. JENKINS STREET, LAURA STREET BAPTIST CHURCH

Laura Street Baptist Church requested permission to hold their annual water fight for their youth, as they have done for the past several years. As previous years, the event is requested to be held on South Laura Street, between East First Street and East Thompson Street and on East Jenkins Street, between South Alvin and South Mattie Street. Approval was sought for the event to be held on Friday, August 7, 2015. Street closures are requested from 4:30 p.m. until 8:00 p.m.

Upon approval a water meter would be placed on a nearby fire hydrant to calculate the amount of water used. Laura Street Baptist Church will pay the amount due for the water usage. On duty City Fire Fighters or volunteer fire fighters, will be available during event to ensure the equipment is connected, used, and dismantled properly.

Laura Street Baptist Church has provided the required liability insurance with the City named as an additional insured and the signed Indemnification/Hold Harmless Agreement.

Staff recommended approval of the request made by Laura Street Baptist Church to hold the Water Fight Event on, Friday, August 7, 2015, with the streets closed from 4:30 p.m. until 8:00 p.m.

Motion was made by Councilman Riggs, seconded by Councilwoman Martin, to hold the Water Fight Event on, Friday, August 7, 2015, with the streets closed from 4:30 p.m. until 8:00 p.m. 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.

REQUEST TO HOLD DOWNTOWN SOUNDS AUGUST CONCERT/EVENT, COMMUNITY PEP RALLY

The Greater Maryville Chamber of Commerce began holding the Annual Summer Concert Series in 2008. Three (3) events are held throughout the summer months and are designed to provide free entertainment to the community, while encouraging citizens to visit their downtown area.

The Greater Maryville Chamber of Commerce has submitted a request to hold the last of three (3) events for 2015. The event will consist of a concert and a community pep rally on Thursday, August 20, 2015, booths opening at 6:00 pm and the program begins at 6:30 pm.

The request is to close the 300 block of North Main Street (excluding intersections) by barricading the area to vehicular traffic, beginning at 5:00 p.m. and opened back up after the event, which will be around 8:00 p.m.

The City is asked to provide barricades to block off the 300 block North Main Street. This task will be performed by Public Safety Officers on duty at that time.

The Chamber of Commerce has provided the required certificate of liability insurance with the City named as an additional insured, along with the hold harmless agreement. They have also contacted the businesses that may be effected due to the street closure.

Staff recommended approval of the request to hold the final Downtown Sounds event for 2015, on August 20, 2015, with the 300 block of North Main Street. The street block will be barricaded at 5:00 pm and the event beginning at 6:30 p.m.

Motion was made by Councilwoman Martin, seconded by Councilman Riggs, to approve the request to close the 300 Block of North Main Street (excluding intersections) by barricading the area to vehicular traffic, beginning at 5:00 p.m. and open back up after the event, around 8:00 p.m., on August 20, 2015 for the final Downtown Sounds Event. 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.

MARYVILLE DOWNTOWN IMPROVEMENT ORGANIZATION – REQUEST FOR SUPPORT

The Maryville Downtown Improvement Organization, Inc., has joined the Missouri Main Street Program to obtain guidance and programming to benefit improvements of downtown. The Missouri Main Street Program is administered by the Missouri Main Street Committee whose mission is to enhance the economic, social, cultural and environmental well-being of historic downtown business districts in Missouri.

Matt Gaarder, Maryville Downtown Improvement Organization, was in attendance to share with the City Council the last year’s accomplishments by the Maryville Downtown Improvement Organization and to request consideration of support from the City of Maryville during budget preparation for fiscal year 2016. He shared some of the attempts in holding fund raisers for the organization.

The organization will experience expenses for educational sessions required by the Missouri Main Street Association. The Maryville Downtown Improvement Organization requested the City consider support of ten thousand dollars (\$10,000.00) for the coming fiscal year.

REQUEST TO HOLD 9TH ANNUAL MAC MINI TRIATHLON, MARYVILLE PARK & RECREATION

The Maryville Park and Recreation Department made a request to hold the 9th Annual MAC Mini Triathlon Event. This year’s event is proposed to be held on Saturday, August 8, 2015, with preparations beginning at 6:00 a.m., the event starting at 7:15 and concluding at approximately 11:00 a.m. The first leg of the race will begin at the Maryville Aquatic Center which will consist of a swimming competition, followed by biking to the Northwest Missouri State University, Parking Lot 42 and back to the Aquatic Center, as depicted on the map provided and returning to the Aquatic Center by the same route. For the final leg of the race, participants will run south on North Laura Street to East 4th Street, to North Water Street, heading north on North Water to 7th Street, continuing on 7th Street to North Mulberry Street, running north on Mulberry Street, turning west on 12th Street to North Walnut Street, south on North Walnut Street to 7th Street, following 7th Street east to North Laura Street, returning to the Maryville Aquatic Center.

The Maryville Park and Recreation Department requested the use of 4-way stop signs and slow/caution signs for the busy intersections along the routes. Stop signs will be collected from the Street Department on Friday, August 8, 2015 and return them following the event.

Volunteers will be available at these locations to assist with traffic control. If an on-duty officer is available, it was requested to assist with traffic control at Sixteenth Street and Mulberry Streets.

Staff recommended approval of the requested MAC Mini-Triathlon, as proposed for August 8, 2015, from 6:00 -11:00 a.m.

Motion was made by Councilman Riggs, seconded by Councilwoman Martin, to approve the MAC Mini-Triathlon, as proposed for August 8, 2015, from 6:00 -11:00 a.m. Upon roll being, the vote was as follows: Councilman Riggs, yea; Councilman Shipley, yea; Councilman McDowell, yea; Councilwoman Martin, yea; Mayor Riedel, yea. Motion carried.

SOLID WASTE AND THE MARYVILLE TRANSFER STATION

City Manager McDanel reviewed the results of the discussions held in May and June, 2015, regarding the Transfer Station and the negative balance of revenue to expenditures. During the May 11, 2015 City Council workshop, prior to the regular meeting, Staff shared with the City Council Members their concerns of the financial hardships of the Solid Waste Department and the options available to minimize expenses, while examining the feasibility of continuing to provide a transfer station for disposal of trash, compost and wood product disposal sites, while attempting to keep costs reasonable for the citizens of Maryville, in a way that will not diminish employment for trash haulers.

At the June 22, 2015 City Council Meeting, the local solid waste haulers were invited to share their thoughts and ideas for a solution to the issues experienced of the shortfall of monies at the Solid Waste Transfer Station. They shared concerns of the city's transfer station being closed but were also concerned with the effects resulting from municipalizing trash services.

Since the June 22, 2015 meeting with the trash haulers, there has not been any contacts made by the haulers, to further discuss options with City staff.

Consideration would need to be discussed regarding what would be done in the event of a storm going through town causing downed limbs and trees, in regard to the disposal of the debris. Further discussions with Dennis Porter on the subject will be had.

City staff will report to the City Council its assets at the transfer station

AN ORDINANCE AUTHORIZING AN EXTENSION TO A CONTRACT WITH PIPER JAFFRAY AND COMPANY, TO PROVIDE FINANCIAL ADVISORY SERVICES

The City Clerk presented a bill, Bill No. 2015'69 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE AN EXTENSION OF FINANCIAL ADVISORY AGREEMENT WITH PIPER JAFFRAY, FOR THE PURPOSE OF PROVIDING FINANCIAL ADVISORY SERVICES, MARYVILLE, MISSOURI.

Requests for Qualifications for financial advisory services were issued in June 2012 seeking a firm to serve as the City’s consultant on debt financing projects, provide independent financial advice, and manage the bond financing process.

Selection criteria included the reputation and experience of the firm, qualifications of staff to be assigned, how well the responses stated an understanding of the work to be performed, accessibility and availability of individuals, and finally compensation. Piper Jaffray was awarded the contract after reviewing the three (3) firms which submitted proposals.

The terms of the contract, dated July 23, 2012, allow for the City to extend the contract for up to two (2) additional one (1) year periods. The City has built a solid working relationship over the years with Piper Jaffray, who is already familiar with the City and its financial operations. They provide an in-depth and timely knowledge of market conditions; have underwriting-side experience which gives them market insight not available to all firms; and as a national firm with regional expertise, can offer the most pertinent up-to-date market advice.

The Piper Jaffray proposal included the following table setting forth the fees for services related to the issuance of debt:

Principal Amount	Fee for Voted Debt	Fee for Appropriation Financings
Under \$1,000,000	\$ 5,000	\$ 6,000
\$1,000,000 - \$5,000,000	\$ 7,500	\$ 8,500
\$5,000,001 - \$10,000,000	\$ 10,000	\$ 11,000
\$10,000,001 and higher	\$12,500	\$ 13,500

For special studies, reports and projects where the City requests compensation to be calculated on an hourly basis, the fees are Senior or Lead Investment Banker - \$175 an hour and for an Analyst - \$100 an hour.

Staff recommended approval of the proposed ordinance to execute an Extension of Financial Advisory Agreement with Piper Jaffray for financial advisory services for a one (1) year period, with the option to extend the contract for one (1) additional one (1) year period. City staff is currently working closely with Piper Jaffray to analyze refinancing options for the HyVee TIF.

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 Councilman Riggs, seconded by Councilwoman Martin to execute an Extension of Financial Advisory Agreement with Piper Jaffray for financial advisory services for a one (1) year period, with the option to extend the contract for one (1) additional one (1) year period. 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. 7766 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk and made a part of the original contract, being Contract No. 2012-35.

AN ORDINANCE TO EXECUTE A CONTRACT WITH WHITE CLOUD ENGINEERING AND CONSTRUCTION COMPANY, INC., FOR THE CONSTRUCTION OF THE COOPER STREET STORM WATER IMPROVEMENT PROJECT

The City Clerk presented a bill, Bill No. 2015'70 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A CONTRACT WITH WHITE CLOUD ENGINEERING AND CONSTRUCTION COMPANY, INC., FOR CONSTRUCTION OF THE COOPER STREET STORM WATER IMPROVEMENT PROJECT, AND DECLARING SUCH AN EMERGENCY, MARYVILLE, MISSOURI

The FY15 Budget includes forty thousand dollars (\$40,000) in the General Fund for storm drainage improvements along Cooper Street at Peach Creek. Peach Creek is the main drainage channel for storm water through the community, carrying storm water from the north near the campus of Northwest Missouri State University to the south city limits and beyond. Peach Creek runs through Judah Park and drainage tubes at Cooper Street heading south. This section acts as a bottleneck for effective storm water flow. During high volume rainfall events, storm water backs up into Judah Park and tops the roadway causing significant damage and washouts. The street segment has been closed numerous times during rainfall events until repairs can be made by the City's Public Works Department.

Over the last week, short-term flooding due to significant rainfall topped the crossing at Cooper Street significantly damaging the roadway. The roadway is now considered a safety concern and beyond the scope of spot repair. The drainage tubes are also in poor condition and have shifted with the last flood. Staff has now elevated the project on the priority list and deems it emergency in nature.

White Cloud Engineering and Construction Company, Inc. has met with staff onsite to discuss the issue. Downstream structures have been examined and it is recommended that the existing forty-eight inch (48") arch culverts are removed and replaced with fifty-four inch (54") arch culverts. While larger culverts could be placed and reduce backwater effects in Judah Park, downstream flows and complications could occur. The new fifty-four inch (54") culverts will make a large improvement and drainage calculations estimate increasing capacity by twenty-five percent (25%). Around fifty feet (50') of curb and one hundred twenty (120) square yards of concrete roadway will need removed to replace the tubes. Empire Gas has an interest in relocating an elevated crossing and a clay tile sewer under the roadway should be replaced. It is recommended that the new culverts are polymer coated twelve (12) gage to provide durability and extend to fifty feet (50') in length. This extension to the north will allow for an eight (8) foot grass area behind the curb for a future sidewalk or trail in the park. The roadway would be replaced with concrete, new headwalls, and an inlet or two to allow for surface drainage.

White Cloud has agreed to provide engineering, loading and removal of rubble and pipe, installing the new culverts/inlet, flowable fill and granular fill to the bottom of the street pavement, patching the south headwall, a new north headwall, installing the new sewer line, and preparing the area for grade and seed. White Cloud Engineering and Construction Company, Inc., quoted these services for an amount not-to-exceed forty-five thousand three hundred dollars (\$45,300). The Street Maintenance Division of Public Works will be responsible for pouring new curb and pavement which is estimated at three to four thousand dollars (\$3,000-\$4,000). It is estimated that the new roadway could be opened to traffic within a few weeks.

Staff submitted a grant application for this project to the Federal Emergency Management Agency (FEMA) in December 2014. On April 13, 2015 the City proceeded to award a contract to Orr Wyatt Streetscapes in the amount of seventeen thousand two hundred dollars (\$17,200) to perform improvements to Peach Creek on the south end of town out of this line item. This was done because staff felt comfortable with the condition of the roadway and recommended awaiting grant notification or until FY16. Unfortunately, the volume of storm water since April had expedited the need for this project. Sufficient reserves in the General Fund remain for the proposed contract and concrete materials will be charged to the appropriate materials line item for the Street Maintenance Division. The Municipal Code of Maryville allows for waiving of bid requirements for purchases emergency in nature.

Staff recommended approval of the proposed ordinance to execute a contract with White Cloud Engineering & Construction Company, Inc. for the Cooper Street Improvement Project in an amount not-to-exceed forty-five thousand three hundred dollars (\$45,300). Deterioration of the roadway is significant and will remain closed to traffic until repairs can be made. Staff recommends at this point considering the project emergency in nature and proceeding immediately to allow the roadway to reopen. Two larger culverts will allow for additional capacity without compromising downstream culverts and infrastructure.

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 execute a contract with White Cloud Engineering & Construction Company, Inc. for the Cooper Street Improvement Project in an amount not-to-exceed forty-five thousand three hundred dollars (\$45,300). 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. 7767 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. The contract was identified as Contract No. 2015-39.

AN ORDINANCE TO ACKNOWLEDGE A PETITION TO ANNEX PROPERTY OWNED BY DLN PROPERTIES, LLC AND SCHEDULE A PUBLIC HEARING

The City Clerk presented a bill, Bill No. 2015'71 for an ordinance entitled:

AN ORDINANCE TO ACKNOWLEDGE THE PRESENTATION OF A PETITION TO ANNEX CERTAIN REAL ESTATE, OWNED BY DLN PROPERTIES, LLC, A MISSOURI LIMITED LIABILITY COMPANY, SCHEDULING A PUBLIC HEARING ON SAID PETITION DIRECTING THAT NOTICE OF SAID HEARING BE PUBLISHED IN THE MARYVILLE DAILY FORUM.

Dennis L. Nelson and Jennifer M. Nelson, owners of DLN Properties, LLC, have submitted for voluntary annexation of two (2) properties totaling one and 12/100 (1.12) acres of property located along N. College Drive. The properties are contiguous with the city limits in that area. The owner has constructed three apartment buildings on the property and has proceeded to construct a fourth. In the past, the property owner was allowed to connect to city water and sewer services yet allowed to remain outside the city limits. The property owner began construction of the additional unit with that intention.

City staff quickly notified Mr. Nelson that a new administrative policy is in place to ensure that all extension of services require the voluntary annexation of that property. Under prior practices, development has been allowed to connect to city water/sewer services outside of city limits. This practice reduces the tax liability for the property and causes issues with unification of services and fragmentation of city boundaries. After further discussion, DLN Properties, LLC submitted a voluntary annexation petition for both properties to ensure city water/sewer connections.

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 proposed ordinance accepts the petition and provides for the scheduling of a public hearing on said petition at the August 10, 2015 City Council Meeting.

Voluntary annexation of the properties will generate an estimated three hundred ninety-two dollars and 56/100 dollars (\$392.56) in additional tax revenue to the City annually. The property owner will see a minimal savings in water/sewer rates for receiving "in-city" services.

Staff recommended approval of the proposed ordinance to acknowledge a petition to annex certain real estate owned by DLN Properties, LLC, A Missouri Limited Liability Company and to schedule a public hearing for August 10, 2015 at 7:00 p.m.

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 Riggs, to acknowledge a petition to annex certain real estate owned by DLN Properties, LLC, A Missouri Limited Liability Company and to schedule a public hearing. 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 identified as Ordinance No. 7768 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

AN ORDINANCE TO EXECUTE CHANGE ORDER NO. 3 WITH DAVID E. ROSS CONSTRUCTION COMPANY FOR SONSTRUCTION OF THE MARYVILLE WASTEWATER TREATMENT PLANT

The City Clerk presented a bill, Bill No. 2015'72 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE TO EXECUTE CHANGE ORDER NO. 3, OF A CONTRACT BETWEEN THE CITY OF MARYVILLE, MISSOURI AND DAVID E. ROSS CONSTRUCTION COMPANY, FOR THE CONSTRUCTION OF THE MARYVILLE WASTEWATER TREATMENT PLANT, MARYVILLE, MISSOURI.

On July 22, 2013, the City of Maryville approved a bid from David E. Ross Construction Company for construction of a new wastewater treatment facility in an amount of eleven million four hundred thirty-eight thousand eight hundred dollars (\$11,438,800). The contractor worked diligently with HDR Engineering, Inc. and City staff to keep the project on schedule and operational July 1, 2015, in accordance with the timeline agreed to with the Department of Natural Resources (DNR).

On August 11, 2014, the City Council approved Change Order No. 1 for the project which resulted in a decrease of fifty-eight thousand two hundred sixty-five and 30/100 dollars (\$58,265.30). The change order included a major alteration to the East Lift Station which staff off set by changing the proposed parking area and drive from concrete to gravel. Change Order No. 1 also included an additional sixty (60) days added to the contract to account for weather days accrued between July 2013 and February 2014 when work could not be accomplished. On March 3, 2015, City Council approved Change Order No. 2 which resulted in an addition of eighty-nine thousand one hundred thirty and 23/100 dollars (\$89,130.23) to the construction contract. Change Order No. 2 included an electrical upgrade at the East Lift Station and a paved parking area at the Operations and Headworks Building.

With the project coming close to an end David E. Ross Construction has submitted Change Order No. 3 that results in a twenty thousand nine hundred ninety-seven and 76/100 dollars (\$20,997.76) increase to the overall contract.

Construction items that resulted in the proposed change order include: Expansion Tank for the water heater - four hundred ninety-one dollars (\$491.00); Additional valves for potable water service – five hundred forty-eight and 28/100 dollars (\$548.28); Aluminum pan assembly for north wall of Headworks Building – nine hundred ninety-six and 87/100 dollars (\$996.87); Float backup control at East Lift Station – fourteen thousand eight hundred

sixty-three and 72/100 dollars (\$14,863.72); Additional fencing around the perimeter of the facility – one thousand six hundred ninety-six and 80/100 (\$1,696.80); Addition of a non-potable yard hydrant on top of the UV Disinfection facility - one thousand five hundred ninety-one and 17/100 dollars (\$1,591.17); Adjustment for amount of seed sludge utilized for plant startup – three thousand one hundred fifty dollars (\$3,150); Additional conduit and wiring for effluent sampler – one thousand seven hundred forty and 33/100 dollars (\$1,740.33); and Programming modifications for the RAS pump automatic control sequence – two thousand two hundred nineteen and 59/100 dollars (\$2,219.59).

Change Order No. 3 revises the total construction contract with David E. Ross Construction Company to eleven million four hundred ninety thousand six hundred sixty-two and 69/100 dollars (\$11,490,662.69). The revised contract amount equals a 45/100 percent (0.45%) or fifty-one thousand eight hundred sixty-two and 69/100 dollars (\$51,862.69) increase to the multi-million project.

Staff recommended approval of the proposed ordinance to execute Change Order #3 with David E. Ross Construction Company in an amount of twenty thousand nine hundred ninety-seven and 76/100 dollars (\$20,997.76).

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 Change Order #3 with David E. Ross Construction Company in an amount of twenty thousand nine hundred ninety-seven and 76/100 dollars (\$20,997.76). 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 Ordinance No. 7769 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. The agreement will be made part of the original contract being Contract No. 2013-40.

AN ORDINANCE TO EXECUTE A CONTRACT WITH ENNIS-FLINT FOR DECOMARK BEARCAT PAWS FOR THE 4TH STREET IMPROVEMENT PROJECT

The City Clerk presented a bill, Bill No. 2015'73 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A CONTRACT WITH ENNIS-FLINT FOR DECOMARK BEARCAT PAWS FOR THE 4TH STREET IMPROVEMENT PROJECT, MARYVILLE, MISSOURI

The 4th Street Improvement Project was deemed substantially complete May 1, 2015 and opened to public traffic. The project physically and aesthetically enhanced the corridor by constructing a ten (10) foot wide shared bicycle/pedestrian trail along the north side, new concrete curb and gutter, ADA compliant ramps, new waterlines,

decorative streetlights, landscaping and brick pillars, modified T-intersection at Dunn, archway monument, and Northwest Missouri State University branding elements. As a part of the design and bid package, the project included fifty (50) bearcat paws to be placed along 4th Street from Main Street to Dunn Street. The permanent paws would replace repainting efforts that typically led to a blurred double vision effect.

During construction, it was determined that the bearcat paw product specified in the bid would not be acceptable as it was an above surface application and a product not designed to hold up to significant outdoor elements found in Missouri. The product was typically placed in areas of low traffic and parking lots. It was determined that another product was required to ensure longevity in areas of high traffic and of frequent snow plow use.

SK Design Group, Inc. assisted the City in finding a product to test from Ennis-Flint. The new Decomark bearcat paw was two color instead of the one color original product and required a subsurface application. The roadway would be milled in the area of placement and the paw would be seared with heat into the asphalt. The product is generally flush with the pavement allowing for a smooth transition. Once the test paw was installed City staff proceeded to test the application with a snow plow and pressure washer.

As the main infrastructure project came to a close, the City was able to partner with Northwest Missouri State University to extend the asphalt mill and overlay from Dunn to Grand. With the new asphalt surface the University desired to add an additional fifty (50) bearcat paws in this section. Due to the timing of construction as well as leeway for ordering the new product, the City decided to withdraw the bearcat paws from the original construction contract and work directly with the supplier.

A total of eight-seven (87) Decomark bearcat paws were installed the week of June 29, 2015 by K&G Striping, Inc. Two (2) additional paws will be installed at the Dunn intersection when repairs are completed to the roadway from a storm water issue. A total of eight-nine (89) paws were purchased from Ennis-Flit after revising the paw spacing along the corridor.

Northwest Missouri State University agreed to cover the financial cost of the original product under the 4th Street Improvement Project contract with Orr Wyatt Streetscapes. In testing the new Decomark paw, staff worked directly with University staff to ensure satisfaction of the product. Northwest Missouri State University has agreed to reimburse all costs associated with the purchase and installation of bearcat paws. A total of eighty-nine (89) Decomark bearcat paws were purchased from Ennis-Flint in an amount of fourteen thousand sixty-four and 78/100 dollars (\$14,064.78).

Staff recommended approval of the proposed ordinance to execute a contract with Ennis-Flint for Decomark bearcat paws for the 4th Street Improvement Project in an amount not-to-exceed fourteen thousand sixty-four and 78/100 dollars (\$14,064.78). The Decomark paws have been installed along the corridor and will be reimbursed 100% by Northwest Missouri State University.

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, execute a contract with Ennis-Flint for Decomark bearcat paws for the 4th Street Improvement Project in an amount not-to-exceed fourteen thousand sixty-four and 78/100 dollars (\$14,064.78). 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 identified as Ordinance No. 7770 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. 2015-40.

AN ORDINANCE TO EXECUTE A CONTRACT WITH K & G STRIPING, INC., FOR THE INSTALLATION OF DECOMARK BEARCAT PAWS FOR THE 4TH STREET IMPROVEMENT PROJECT

The City Clerk presented a bill, Bill No. 2015'74 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A CONTRACT WITH K&G STRIPING, INC. FOR THE INSTALLATION OF DECOMARK BEARCAT PAWS FOR THE 4TH STREET IMPROVEMENT PROJECT, MARYVILLE, MISSOURI

The 4th Street Improvement Project was deemed substantially complete May 1, 2015 and opened to public traffic. The project physically and aesthetically enhanced the corridor by constructing a ten (10) foot wide shared bicycle/pedestrian trail along the north side, new concrete curb and gutter, ADA compliant ramps, new waterlines, decorative streetlights, landscaping and brick pillars, modified T-intersection at Dunn, archway monument, and Northwest Missouri State University branding elements. As a part of the design and bid package, the project included fifty (50) bearcat paws to be placed along 4th Street from Main to Dunn. The permanent paws would replace repainting efforts that typically led to a blurred double vision effect.

During construction, it was determined that the bearcat paw product specified in the bid would not be acceptable as it was an above surface application and a product not designed to hold up to significant outdoor elements found in Missouri. The product was typically placed in areas of low traffic and parking lots. It was determined that another product was required to ensure longevity in areas of high traffic and of frequent snow plow use.

SK Design Group, Inc. assisted the City in finding a product to test from Ennis-Flint. The new Decomark bearcat paw was two color instead of the one color original product and required a subsurface application. The roadway would be milled in the area of placement and the paw would be seared with heat into the asphalt. The product is generally flush with the pavement allowing for a smooth transition. Once the test paw was installed City staff proceeded to test the application with a snow plow and pressure washer.

As the main infrastructure project came to a close, the City was able to partner with Northwest Missouri State University to extend the asphalt mill and overlay from Dunn to Grand. With the new asphalt surface the University desired to add an additional fifty (50) bearcat paws in this section. Due to the timing of construction as well as

leeway for ordering the new product, the City decided to withdraw the bearcat paws from the original construction contract and work directly with the supplier.

A total of eight-seven (87) Decomark bearcat paws were installed the week of June 29, 2015, by K&G Striping, Inc. Two (2) additional paws will be installed at the Dunn intersection when repairs are completed to the roadway from a storm water issue. A total of eight-nine (89) paws were purchased from Ennis-Flit after revising the paw spacing along the corridor.

Northwest Missouri State University agreed to cover the financial cost of the original product under the 4th Street Improvement Project contract with Orr Wyatt Streetscapes. In testing the new Decomark paw, staff worked directly with University staff to ensure satisfaction of the product. Northwest Missouri State University has agreed to reimburse all costs associated with the purchase and installation of bearcat paws. A total of eighty-nine (89) Decomark bearcat paws were installed by K&G Striping, Inc. in an amount of twenty-two thousand fifty dollars (\$22,050.00).

Staff recommended approval of the proposed ordinance to execute a contract with K&G Striping, Inc. for the installation of Decomark bearcat paws for the 4th Street Improvement Project in an amount not-to-exceed twenty-two thousand fifty dollars (\$22,050.00). The Decomark paws have been installed by K&G Striping along the corridor and will be reimbursed 100% by Northwest Missouri State University.

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 Riggs to execute a contract with K&G Striping, Inc. for the installation of Decomark bearcat paws for the 4th Street Improvement Project in an amount not-to-exceed twenty-two thousand fifty dollars (\$22,050.00). 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 identified as Ordinance No. 7771 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. 2015-41.

REPORTS

I. NWMSU/Student Senate Liaison

- Student Liaison Hannah Sears was not present but sent word that she is working with the Nodaway County Senior Safety Fair at the Nodaway County Senior Center.

II. City Manager

- *Maryville Semi-Finalist for Award* - The “Get Plugged In...Downtown” Missouri Revitalization Conference sponsored by the Missouri Main Street Connection is hosting their annual downtown

conference at the Westin Kansas City at Crown Center Tuesday, July 28, 2015 through Thursday July 30, 2015. The conference has numerous sessions on improving downtown and is guided around the Missouri Main Street Connection program in which the Maryville Downtown Improvement Organization (MDIO) is now an affiliate member. On Thursday, July 30, 2015 at 6:00 p.m. they will be having an “Evening of Excellence, Dinner & Downtown Revitalization Awards”.

The 4th Street Improvement Project was nominated for an award in multiple categories. In the category of “Outstanding Public Partner” there were 18 total entries and was selected as 1 of 2 semi-finalists. Representatives of the City Council, City Staff, and Members of the Maryville Downtown Improvement Organization will be in attendance.

- *Demolition of Substandard Housing* – The City of Maryville will be receiving sealed bids for the demolition and removal of two (2) substandard houses located at 202 S. Hester Street and 212 W. 2nd Street until 11:00 a.m., on Tuesday, August 4, 2015.
- *20th Anniversary Celebration Held* - The Mozingo Lake Recreation Park celebrated their 20th anniversary of providing recreational experiences to the region. Many activities were enjoyed including the Kids fishing contest, the Color Run, the 5K Run, mud volleyball, Family Fun Zone, Live Music, Little Mr. and Ms. Pageants, and many other activities.

A total of eight hundred and ten dollars (\$810) were collected from the dunk tank and the hole in one competition, which will go toward the Watson 9 Course for the youth program. Despite the rain storm Saturday evening, it was considered a successful weekend with a good turnout.

- *2015 DARE Lifetime Achievement Award* – Sgt. Rick Smail, Maryville Public Safety Department was presented the 2015 DARE Lifetime Achievement Award on Thursday, July 23, 2015 at the 2015 Missouri Drug Abuse Resistance Education (DARE) conference in Kansas City, Missouri. Sgt. Smail is one of Missouri’s original officers trained by the Las Angeles, California Police Department, in 1992. He is certified to teach kindergarten thru high school and the parent’s education program.
- *Strategic Planning Sessions Held* - Art Davis, Art Davis Group, LLC, began the Strategic Planning Sessions on Sunday, July 26 and were concluded on July 27, 2015. City Council Members and Administrative Staff met with Mr. Davis to discuss priorities for the coming budget year and will provide a summary of the outcome to guide the development of the Fiscal Year 2015-16 Budget.
- *Mozingo Lake Recreation Park Trails, Phases 4 & 5*: Orr Wyatt Streetscapes has begun construction and grading of the concrete trails, Phases 4 and 5, at Mozingo Lake Recreation Park. They have completed the framing of Phase 4 and have begun grading of Phase 5.
- *Watson 9 Golf Course Repairs* – Because of the heavy rains that caused rutting on the newly constructed Watson 9 Golf Course, the City is planning to fill the washout areas with dirt, then sod over those areas. By doing so, the course will be in better condition and will speed up the opening of the golf course.

III. City Council

- *Request for Smoke-free Beach* - A request was received by a Council Member to consider a smoke-free beach at Mozingo.
- *Thank You to Staff and Volunteers* - A “Thank you” went out to City Staff, sponsors, and volunteers who helped with the 20th Anniversary event at Mozingo Lake Recreation Park.

EXECUTIVE SESSIONS

Motion was made by Councilwoman Martin, seconded by Councilman Shipley that the Council, go into executive session. 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.

City Council met in closed session to discuss two (2) item. The first was related to the Hiring, Firing, Disciplining or Promoting of Particular Employee by a Public Governmental Body When Personal Information about the Employee Is Discussed or Recorded, as Authorized by Section 610.021(3) RSMo, Closed Meeting, Closed Record, Closed Vote.

The second item was related to Leasing, Purchase or Sale of Real Estate by a Public Governmental Body Where Public Knowledge of the Transaction Might Adversely Affect the Legal Consideration Therefore, as Authorized by Section 610.021(2) RSMo., Closed Meeting, Closed Record, Closed Vote.

Motion was made by Councilwoman Martin, seconded by Councilman Riggs that the Council comes out of executive session. 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.

ADJOURNMENT

Motion was then made by Councilman Riggs, seconded by Councilman Shipley, to adjourn the meeting. 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. Meeting was adjourned at 8:05 p.m.

Renee Riedel, Mayor

ATTEST:

Sheila Smail, City Clerk