

Maryville City Council
Regular Scheduled Meeting
September 14, 2015
7:00 p.m.

The Council of the City of Maryville, Missouri, met in regular session on Monday, September 14, 2015, at City Hall, 415 North Market Street, in said City at 7:00 p.m.

PUBLIC HEARINGS:

- **Rezoning of Property Located at 531 West Halsey Street**

Mayor Riedel opened a Public Hearing to allow citizens to be heard for the rezoning of property located at 531 West Halsey Street.

Any persons wishing to speak on the subject was asked to stand and state their name and address for the record. Kelly Morrison, owner of the property, stated that he had obtained the property and found the structure was not fit to make repairs. Mr. Morrison stated that they would like to demolish the present structure and build back a duplex. Currently the property is zoned as an R-2 Single Family Residence Zone, and is requesting to rezone the property as R-2M (Multi-family Residence Zone).

Tony Brown, 513 West Halsey Street, stated that he was in favor of the proposed and saw it as an improvement to the area.

No other persons appeared to be heard.

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, 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., Finance Denise Town; Dir., Public Safety Keith Wood; Human Resource Manager Amy Strough, Student Liaison Hannah Sears and City Clerk Sheila Smail.

PLEDGE TO THE FLAG

The pledge to the flag was led by Mayor Riedel.

INVOCATION

Councilman Shipley gave the invocation.

APPROVAL OF THE AGENDA

Mayor Riedel requested any changes needed to the agenda, be noted at this time. No changes were noted.

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

APPROVAL OF MINUTES

Mayor Riedel requested any changes to the minutes of the regularly scheduled City Council meetings held on August 10 and 24, 2015.

Motion was made by Councilwoman Martin, seconded by Councilman Riggs, that the minutes be approved as presented. 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.

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.

MARYVILLE FARMERS MARKET REQUEST FOR SUPPORT

Alisha Frances approached the Council requesting assistance to re-energize the “Farmer’s Market” in Maryville. More specifically her request was for the City to allocate six hundred ten dollars (\$610) to get a farmers market re-established. These funds would be used toward the cost of liability insurance, advertising for potential vendors and attract patrons. After the first year the vendors are believed to be able to sustain future expenses.

Mayor Riedel stated the Council would take the request into consideration as the FY’16 budget was developed.

NODAWAY COUNTY ECONOMIC DEVELOPMENT, REQUEST FOR SUPPORT

Executive Director Josh McKim, Nodaway County Economic Development, made a request to the Maryville City Council to consider financial support of sixty thousand dollars (\$60,000) to Nodaway County Economic Development. Director McKim reported that Nodaway County had nine (9) major industrial/technology projects this year with an additional eight (8) retail/service projects under construction or completed, making this one of the most successful economic development years for Maryville.

Mayor Riedel stated the Council would take the request into consideration as the FY’16 budget is developed.

NEW NODAWAY HUMANE SOCIETY, REQUEST FOR SUPPORT

Doug Sutton, President of the New Nodaway Humane Society Board, provided to the Council documentation of the revenues and expenditures for the operation of the animal shelter. He explained that the shelter is using various resources such as Community Service workers, Northwest Missouri State University students and other volunteers to help defray costs.

Mr. Sutton presented the Humane Society’s request of eighty-one thousand dollars (\$81,000) for FY’16.

Mayor Riedel stated the Council would take the request into consideration as the FY’16 budget was developed.

PUBLIC LIBRARY BUDGET PRESENTATION

Maryville Public Library Director Stephanie Patterson provided the budget that had been approved by the Maryville Public Library Board for Directors, for fiscal year 2016 (FY16). The total budget amount of revenue was two hundred fifty-six thousand three hundred ninety dollars (\$256,390), while total expenditures were two hundred sixty-four thousand eight hundred ninety dollars (\$264,890). A gap of eight thousand five hundred dollars have been noted to come from the “Friends Income” to balance the budget. The budget included the City’s estimated increase in property tax revenue that will come from the annexation of Kawasaki Motors. Dir., Patterson noted that there will likely be a decrease in Missouri State aid for the coming year.

Personnel Expenditures take up approximately sixty percent (60%) of the total expenditures. Building maintenance accounted for six thousand dollars (\$6,000) of the budget, to address a plumbing issue, repairs in the basement storage area and minor roof repairs.

Five thousand dollars (\$5,000) in grant funding was estimated for FY16.

PARK AND RECREATION BUDGET PRESENTATION

Dir., Rod Auxier, Maryville Park and Recreation Department provided copies of the balanced budget for Fiscal Year 2016 (FY'16). The total revenue and expenditures anticipated for FY'16, were one million three hundred forty-four thousand one hundred fifty dollars (\$1,344,150). There was an amount of one hundred eighty-three thousand seven hundred one dollars noted in reserves.

Dir., Auxier noted that there was a decrease in participation in adult activities and an increase in children's activities.

A new sound system for the Aquatic Center has been put in the budget for the coming year.

TREASURER'S REPORT

Dir., Finance Denise Town reported that during the month of August, 2015, the City received non-reoccurring funds from Northwest Missouri State University, for reimbursements for the Bearcat Paws materials and installation on the 4th Street project (\$36,114.78); Suddenlink for quarterly cable franchise distribution (\$21316.26); Pizza Ranch for storm water impact fee (\$10,752.00); Casey's for stormwater impact fee (\$18,000.00); MoDOT, for reimbursement request No. 7 for the airport runway rehabilitation project.

Non-reoccurring disbursements for the month of August 2015 included payments to JVIation - engineering of the airport runway rehabilitation project (\$27,053.80); David E. Ross Construction, for the Wastewater Treatment Plant Project, pay estimate No. 22 (\$1,156,634.01); Ed M. Feld Equipment for bunker gear for the Fire Department (\$13,642.40); HDR Engineering, for engineering services for Wastewater Treatment Plant Project (\$32,045.09) and (\$21,170.20); Hoggatt Excavating , for 7th and 9th Street trail project (\$14,480.07); Mark Burnside's, reimbursements for Eastside Development storm water detention (\$20,000.00) and reimbursement for Casey's stormwater impact fee (\$18,000.00); MTE, server for MULES replacement project for Public Safety Dispatch (\$14,575.50); NW Implement, John Deere Terraincut commercial front mower for Mozingo Lake Park (\$19,320.00); Orr Wyatt Streetscape, Mozingo Lake Trail Project, Phase IV, (\$49,631.80) Mozingo Lake Trail Project, Phase V (\$82,915.00), and the 4th Street Project (final) (\$10,811.97); SFS Architecture, for Mozingo Welcome Center Design (\$11,272.32); Snyder & Associates, Spoofohound Trail Extension Project (\$10,811.34); UMB Bank, Series 2013 COP (streets) semi-annual interest payment (\$25,000.00) and principal (\$255,000.00); UMB Bank, Series 2009 general obligation bonds semi-annual payment (\$69,093.13); and UMB Bank, Hy-Vee TIF transfer to Special Allocation Fund (\$13,580.90).

Motion was made by Councilwoman Martin, seconded by Councilman Riggs, 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 McDowell, yea; Mayor Riedel, yea. Motion carried.

PAYMENT VENDOR SCHEDULE

Motion was made by Councilman Shipley, seconded by Councilwoman Martin, to approve the payment of bills, as presented. Upon roll being called, the vote was as follows: Councilman Riggs, yea; Councilman Shipley, yea; Councilman McDowell, yea; Councilwoman Martin, yea; Mayor Riedel, yea. Motion carried.

AN ORDINANCE TO REZONE PROPERTY OWNED BY KELLY MORRISON AND CRIS WILMES, LOCATED AT 531 WEST HALSEY STREET

The City Clerk presented a bill, Bill No. 2015'93 for an ordinance entitled:

AN ORDINANCE TO AMEND SECTION 405.040 (THE OFFICIAL ZONING MAP), ORDINANCE NO. 4984 (THE ZONING ORDINANCE), UPON THE APPLICATION OF KELLY MORRISON AND CHRIS WILMES, REZONING PROPERTY LOCATED AT 531 WEST HALSEY STREET, FROM R-2, SINGLE FAMILY RESIDENCE ZONE TO R-2M MODIFIED RESIDENCE ZONE.

Applicants, Kelly Morrison and Cris Wilmes, recently purchased the property located at 531 West Halsey Street. The owners believe the house is unlivable and must be demolished. Currently, the existing home is in an R-2, Single Family Zone. The applicants requested to rezone the property to R-2M, Single Family Modified Zone and construct a new duplex. This duplex would be a single family duplex and allow two (2) unrelated persons per unit. The property does not lie within an overlay district.

The areas around the subject site was noted as primarily single family owner occupied with a mix of single family rentals to the north, south and east. An apartment complex lies to the west on the other side of South Dunn Street.

The City Attorney has given the opinion that this would not be spot zoning. Section 405.370.B, states that a parcel of any size may be rezoned to a lower classification when it is adjacent to that classification. In this case, it would be permissible to rezone this property to a lower classification than R-4. A lower classification would include an R-2M Zone.

Staff recommended approval of the proposed ordinance to amend Section 405.040 (The Official Zoning Map), Ordinance No. 4984 (The Zoning Ordinance), to rezone property located at 531 W. Halsey Street from R-2, Single Family Residence Zone to R-2M, Modified Family Residence Zone. The Maryville Comprehensive Plan shows this entire area as Low Density Residential (LDR). Normally, a duplex on a single lot is considered a medium density residential use (approximately 10 units per acre). However, the R-2 Modified Zone only allows 2 unrelated per unit, making it much more compatible to a low density residential zone. The R-2 Modified Zone can also serve as a buffer between the R-2 Single Family and R-4 Multi-Family Zones. The Planning & Zoning Commission voted unanimously to recommend approval of the rezoning on September 9, 2015.

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 approval of the proposed ordinance to amend Section 405.040, to rezone property located at 531 W. Halsey Street from R-2, Single Family Residence Zone to R-2M, Modified Family Residence Zone. 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. 7788 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF TAX INCREMENT REFUNDING BONDS (MARYVILLE TOWN CENTER PROJECT I) SERIES 2015, AND AUTHORIZING CERTAIN DOCUMENTS AND ACTIONS

The City Clerk presented a bill, Bill No. 2015'94 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF TAX INCREMENT REFUNDING REVENUE BONDS (MARYVILLE TOWN CENTER PROJECT I), SERIES 2015 OF THE CITY OF MARYVILLE, MISSOURI, AND AUTHORIZING CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE BONDS.

The Maryville Town Center Tax Increment Financing Plan was adopted by the City Council on February 4, 2005. In October the Series 2005 Tax Increment Revenue Bonds were issued in the amount of two million five hundred eighty thousand dollars (\$2,580,000) for the purpose of providing funds to reimburse the developer a portion of the costs of certain public and private improvements in the Redevelopment Project I area.

In the fall of 2014, staff had initial discussions with the City's financial advisors at Piper Jaffray to explore the potential savings associated with refinancing the original bonds. At the May 11, 2015 council meeting staff briefed City Council on the preliminary findings that a refunding issue should be pursued. After interviewing respondents to the RFP for placement agent, staff and Piper Jaffray selected Commerce Bank.

Commerce Bank immediately started to market the deal. After receiving no offers from the local banks, Commerce reached out to the Kansas City metropolitan area and received a term sheet from Sunflower Bank in Overland Park, KS. Staff and Piper Jaffray had determined a "super sinker" or similar structure would be a desirable outcome and have worked with Commerce Bank and Sunflower Bank to that end. This allows for early prepayment of principal without penalty from excess revenues of the TIF District, with the goal of shortening the final maturity of the issue.

Jack Dillingham from Piper Jaffray presented an overview of the process and results. David Martin, Gilmore and Bell, discussed the various legal documents and agreements in which the City would be entering.

The proposed plan allows the City to make a three hundred thousand dollars (\$300,000) cash contribution from TIF surplus funds in order to achieve further savings which results in a net present value savings of approximately one hundred fifty-seven thousand one hundred sixty-eight dollars (\$157,168), or nine percent (9%) of refunding bonds. The final bonds will mature in March of 2026, with the possibility of early prepayment should there be sufficient revenues generated in the TIF District.

Staff recommended approval of the proposed ordinance to authorize the issuance of Tax Increment Refunding Bonds (Maryville Town Center Project I) Series 2015, and to authorize certain documents and actions. Early prepayment of refunding bonds may also result in a complete pay off an estimated two (2) years earlier thereby placing the property back on the tax rolls. The proposed closing date with Sunflower Bank is September 30, 2015.

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 approval of the proposed ordinance to authorize the issuance of Tax Increment Refunding Bonds (Maryville Town Center Project I) Series 2015, and to authorize certain documents and actions. 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. 7789 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

RESOLUTION TO AMEND THE CITY OF MARYVILLE FINANCIAL POLICIES

The City Clerk presented a bill, Bill No. 2015'95 for a resolution entitled:

A RESOLUTION OF THE CITY OF MARYVILLE, MISSOURI, TO AMEND THE CITY OF MARYVILLE FINANCIAL POLICIES.

In April 2010, the City adopted comprehensive financial policies to establish the framework for the City's overall fiscal planning and management. The policies set forth guidelines from which budget decisions and future programs can be evaluated. Adopted financial policies show the credit rating industry and prospective investors (bond buyers) the City's commitment to sound financial management and fiscal integrity. Financial policies also improve the City's fiscal stability by assisting City officials plan fiscal strategy with a consistent approach.

In September 2011, the policy was updated to implement the Governmental Accounting Standards Board's Statement No. 54-Fund Balance Reporting and Governmental Fund Type Definitions. The annual audit has recommended expanding these policies further to include sections on capital assets and grant management. The capital asset section includes definitions, classifications, capitalization thresholds and depreciation, transfers of assets, and physical inventory requirements. The grant management section discusses definitions, procurement and reporting requirements.

To further define the City's Undesignated Reserves policy the word "essential" was added to now say "cash reserves of twenty percent (20%) of *essential* operating expenditures will be maintained in each operating fund to provide for emergencies and allow for financial stability". A new sentence was added immediately following to

say *“Due to the nature of the water and sewer fund operations, 50% of its operating expenditures will be maintained as reserves.”*

By amending the City of Maryville Financial Policies, the organization can further commit to sound financial management practices during budget preparation and implementation.

Staff recommended approval of the proposed resolution to amend the City of Maryville Financial Policies.

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 approve the proposed resolution to amend the City of Maryville Financial Policies. 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 Resolution No. 633 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

A RESOLUTION TO ELIMINATE THE SOLID WASTE FUND’S DUE TO OTHER FUND LIABILITY

The City Clerk presented a bill, Bill No. 2015’96 for an ordinance entitled: Staff rec

A RESOLUTION TO ELIMINATE THE SOLID WASTE FUND’S DUE TO OTHER FUNDS LIABILITY.

In April 2007 the City purchased a tract of land and residential property adjacent to the landfill due to the detection of methane gas. Due to the limited resources available in the Solid Waste Fund and General Fund at that time, staff recommended using two hundred forty-nine thousand six hundred twenty-five and 43/100 dollars (\$249,625.43) in reserves from the Water/Sewer Fund to purchase the property. At that time an amount due to the Water/Sewer Fund from the Solid Waste Fund was recorded in the City’s financial accounts.

At the end of September 2008 the Solid Waste Fund continued to have financial difficulties and received fifty-one thousand eight hundred forty and 43/100 (\$51,840.43) from the General Fund to offset its net losses. That amount was recorded as a liability owed to the General Fund. It was anticipated that options would be found through future efforts and the Solid Waste Fund would be able to repay the amounts due to the General Fund and Water/Sewer Fund. No viable solutions have been developed at this point and the City’s auditors have recommended eliminating the amounts recorded as due to other funds in the Solid Waste Fund.

Staff has researched the transfer done in 2003 of various buildings at the landfill to the Water/Sewer Fund, for which no cash consideration was given. Based on the value of those buildings carried by MIRMA and the actual cost to replace them after the hail storm in 2011, staff recommended the elimination of the amount due to the Water/Sewer Fund be accomplished as a transfer in and a corresponding transfer out in the Water/Sewer Fund. No cash will be exchanged as that was done in 2007 to purchase the landfill property, and this allows for justification of the expense in the Water/Sewer Fund. The same type of entry, using a transfer in and transfer out, is recommended to eliminate the amount due to the General Fund from the Solid Waste Fund, with no impact to cash.

The balance sheet liability in the Solid Waste Fund will be offset by a transfer in on the revenue side. Corresponding entries will be made in the General Fund and Water/Sewer Fund to eliminate the asset and record an offsetting transfers out expense.

Staff recommended approval of the proposed resolution to eliminate the Solid Waste Fund's Due to Other Funds Liability.

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 the proposed resolution to eliminate the Solid Waste Fund's Due to Other Funds Liability. 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. 634 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

AN ORDINANCE TO EXECUTE AMENDMENT #001 WITH THE MISSOURI DEPARTMENT OF CORRECTIONS, DIVISION OF ADULT INSTITUTION, MARYVILLE TREATMENT CENTER, FOR PROVIDING A SUPERVISED WORK RELEASE PROGRAM

The City Clerk presented a bill, Bill No. 2015'97 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE TO EXECUTE AMENDMENT #001 OF CONTRACT NO. 2014-68, WITH MISSOURI DEPARTMENT OF CORRECTIONS, DIVISION OF ADULT INSTITUTIONS, MARYVILLE TREATMENT CENTER, FOR PROVIDING A SUPERVISED WOTK RELEASE PROGRAM, MARYVILLE, MISSOURI.

The Missouri Department of Corrections, Divisions of Adult Institutions, Maryville Treatment Center desires to extend the Supervised Work Release Program Agreement with the City of Maryville for the purpose of providing an offender work program. The program allows certain offenders to gain work skills and knowledge of productive habits.

Two (2) amendments proposed in the contract extension include 1) 2.3.1: All contractor employees who will supervise the offenders must be twenty-one (21) years of age and submit and pass a background investigation conducted by the Missouri Department of Corrections or its designee. The contractor and its employees understand and agree that the Department shall complete criminal background records check every year for those employees that have the potential to have contact with offenders. 2) Paragraph 2.8 n – The FCC Warden and/or designee shall provide work crew participants appropriate state issued clothing to include t-shirts, boxer underwear, gray shirts, gray trousers, socks, and boots. For offenders performing duties outdoors during winter months, the PCC Warden and/or designee should provide work crew participants with winter gear including gloves, a coat, and a stocking cap. Any additional gear deemed necessary by work crew supervisors shall be provided by the contractor and must be approved by the Department of Corrections.

Staff has utilized the program with the Maryville Treatment Center successfully for several years which has allowed the diversion of resources to other projects. Renewal of the agreement will allow for up to six (6) offenders, Monday through Friday from 7:30 a.m. to 12:30 p.m. Offenders are allowed to perform ground maintenance, including litter pick up, cutting grass, tree trimming, brush cutting, weed eating, painting, and trash collection. Currently, the Public Works Department uses offenders at the City's transfer station operation and cemetery. Staff that supervises the offenders goes through supervisory training provided by the Maryville Treatment Center to ensure all regulations are followed per the program.

The City compensates each offender worker seven and 50/100 dollars (\$7.50) per day through the Supervised Work Release Program. The program significantly reduces the City's cost for part-time labor to perform these duties.

Staff recommended approval of the proposed ordinance to execute Amendment #001 with the Missouri Department of Corrections, Division of Adult Institutions, Maryville Treatment Center, for providing a Supervised Work Release Program. The City of Maryville has effectively utilized this program as a resource in the past and recommends continuing the mutually beneficial 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.

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 Amendment #001 with the Missouri Department of Corrections, Division of Adult Institutions, Maryville Treatment Center, for providing a Supervised Work Release Program. 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. 7790 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, Contract No. 2014-68.

An Ordinance to Repeal Ordinance No. 7774, and execute a Contract with Nodaway Contracting Company Inc., to Provide Demolition Services for a Residential Structure Located at 212 West 2nd Street

The City Clerk presented a bill, Bill No. 2015'98 for an ordinance entitled:

AN ORDINANCE TO REPEAL ORDINANCE NO. 7774 AND TO AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT WITH NODAWAY CONTRACTING COMPANY, INC., TO PROVIDE DEMOLITION SERVICES FOR THE RESIDENTIAL STRUCTURE LOCATED AT 212 WEST 2ND STREET, MARYVILLE, MO.

On August 10th, the City Council approved a contract with Madget Demolition, Inc. for demolition services for a residential structure located at 212 W. 2nd Street. The structure was tagged as a "substandard building" according to

Chapter 505: Housing Code of the Municipal Code of Maryville, on July 22, 2014. Staff scheduled a hearing regarding this property with the Board of Code Appeals on March 26, 2015 and the board upheld the “substandard building” definition according to Section 505.010. The board issued a Findings of Fact that ordered the repair or demolition of the structure within sixty (60) days and since that time the owner has failed to comply with the decision. The contract award was based on the two (2) bids received from Madget Demolition, Inc. with a bid of five thousand seven hundred dollars (\$5,700) and Nodaway Contracting at six thousand three hundred fifty dollars (\$6,350)

Bids for a structure at 202 S. Hester were also included in the original Request for Proposals; however the RFP indicated that contractors were to bid each structure independently of one another. The structure at 202 S. Hester Street has since been included in the Nodaway County tax sale in late August and it appears to be advantageous to hold off on the removal of the structure.

Madget Demolition, Inc. was notified of the contract award for 212 W. 2nd Street, but not 202 S. Hester at this time. The contractor informed the City that an additional 10% would be required if only demolition occurred for one structure. After further conversation with the company, there are respectfully not interested in the project if both structures are included. Staff proceeded to reach out to the local bidder, Nodaway Contracting Company, Inc., and has confirmed the demolition could be provided for the original bid price.

The proposed ordinance repeals the contract with Madget Demolition, Inc. and authorizes a new contract with Nodaway Contracting Company, Inc. for the demolition of 212 W. 2nd Street.

The revised cost for removal of the structure is six thousand three hundred fifty dollars (\$6,350) and will be an expense in the General Fund. The FY 2015 budget included seventy-five thousand dollars (\$75,000) for the removal of unsafe and dangerous structures. The proposed FY 2016 budget also includes funds for demolition services.

Staff recommended approval of the proposed ordinance to repeal the contract with Madget Demolition, Inc. and authorize the execution of a contract with Nodaway Contracting Company, Inc. for demolition services for the residential structure located at 212 W. 2nd Street. Chapter 505: Housing Code of the Municipal Code of Maryville has been followed by staff and the City Attorney for removal of this “substandard building”.

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 approve the ordinance to repeal the contract with Madget Demolition, Inc. and authorize the execution of a contract with Nodaway Contracting Company, Inc. for demolition services for the residential structure located at 212 W. 2nd Street. 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. 7791 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. The agreement will be identified as Contract No. 2015-52.

An Ordinance to Execute a Contract with Visu-Sewer, Inc. for the 2015 Sewer Main Lining Project

The City Clerk presented a bill, Bill No. 2015’99 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A CONTRACT WITH VISU-SEWER, INC., FOR CONSTRUCTION OF THE 2015 SEWER MAIN LINING PROJECT, MARYVILLE, MISSOURI

The FY’15 Budget includes seven hundred thousand dollars (\$700,000) in the Water/Sewer Fund toward efforts to reduce storm water inflow and infiltration (I&I) into the sanitary sewer system. Unnecessary I&I of storm water into the system increases the likelihood of system backups and cost of mechanical treatment. In late 2014, the City completed a project to smoke test the entire system to identify crucial areas of I&I concern. From results of that report, staff organized a two-man sewer crew and purchased a CCTV Sewer Camera to further inspect lines for the preparation of a lining project. After inspection, lines showing significant need for entire lining of the pipe were identified and included in a Request for Proposals (RFP). The RFP resulted outlined an initial 18,210 feet of sanitary sewer main requiring lining to eliminate I & I issues.

The request for proposal resulted in the following two (2) bids:

Name	8-inch line	12-inch line	15-inch line	Total bid
Visu-Sewer Inc.	\$288,600.00	\$151,875.00	\$33,370.00	\$473,845.00
SAK Construction	\$299,000.00	\$148,500.00	\$39,050.00	\$486,550.00

Nearly one hundred sixty-three thousand dollars (\$163,000) was spent on the CCTV Sewer Cameral, leaving approximately five hundred thirty-seven thousand dollars (\$537,000) remaining. Upon approval the FY’16 Budget will include four hundred seventy-three thousand eight hundred forty-five dollars (\$473,845) for the 2015 Sewer Lining Project.

Staff recommended approval of the proposed ordinance to execute a Contract with Visu-Sewer, Inc. for the 2015 Sewer Main Lining Project in an amount not-to-exceed four hundred seventy-three thousand eight hundred forty-five dollars (\$473,845.00). The proposed project lines over three (3) linear miles of sanitary sewer main addressing numerous areas of concern identified in the smoke testing report. Continued elimination of I&I into the sanitary sewer will reduce the likelihood of future backups and reduce electricity costs associated with unnecessarily treating storm water at the Maryville Wastewater Treatment Facility.

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 McDowell, to approve the ordinance to execute a Contract with Visu-Sewer, Inc. for the 2015 Sewer Main Lining Project in an amount not-to-exceed four hundred seventy-three thousand eight hundred forty-five dollars (\$473,845.00) 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. 7792 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. 2015-53.

AN ORDINANCE TO EXECUTE CHANGE ORDER NO. 1 WITH ORR WYATT STREETSCAPES FOR THE CONSTRUCTION OF THE MOZINGO LAKE TRAIL, PHASE V

The City Clerk presented a bill, Bill No. 2015'100 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE TO EXECUTE CHANGE ORDER NO. 1, OF A CONTRACT BETWEEN THE CITY OF MARYVILLE, MISSOURI AND ORR WYATT STREETSCAPES, FOR THE CONSTRUCTION OF THE MOZINGO LAKE TRAIL, PHASE V, MARYVILLE, MISSOURI.

Over the past several years, Mozingo Lake Recreation Park has been awarded two (2) consecutive trail grants through the Missouri Department of Natural Resources (DNR) Recreational Trail Program (RTP). The trails are known as Phase IV (to be completed by December, 2015) and Phase V (to be completed by December, 2016). City Council awarded a contract to Orr Wyatt Streetscapes for the construction of Phases IV & V and the majority of both trails have been completed over the past few months.

Recently, Mozingo staff had a walk-through inspection with Missouri DNR of both trail segments to ensure compliance with the grant requirements. During the walk-through inspection, DNR expressed concern with the slope of a small section of Phase V as it exceeds ADA maximum slope requirements for a section of about 50-feet. As a result, DNR has requested that the City seek a solution to bring the trail into ADA compliance, or as close to compliance as possible. Staff has examined several solutions and has determined that adding a segment connecting to the ADA fishing ramp walkway and a half loop around the steepest portion of the trail is the most cost effective and reasonable solution to address the concern. Staff has presented the solution to DNR which they have approved.

The trail amendments total approximately 350-foot lineal feet of additional concrete. Staff received a quote from Orr Wyatt Streetscapes to perform the additional work and they can complete the work for approximately \$55 per lineal foot. Staff recommends executing a change order to the original contract for an additional, not-to-exceed amount of \$22,000 for the completion of the Mozingo Lake Trail, Phase V.

The current Mozingo Lake Trail, Phase V contract with Orr Wyatt Streetscapes is for an amount of eighty-two thousand three hundred fifteen dollars (\$82,315.00). The proposed Change Order No. 1 would increase the contract

to one hundred four thousand three hundred fifteen dollars (\$104,315.00) slightly above the one hundred thousand dollars (\$100,000) available in RTP funds for the project. Mozingo Lake Trail, Phase IV is substantially complete and currently has a surplus of approximately thirty-five thousand (\$35,000) in RTP funds. A few remaining items, such as concrete pads, bicycle racks, benches, and trash cans still need purchased and installed, but staff anticipates approximately twenty-five thousand dollars (\$25,000) will remain in RTP funds. Upon request, DNR has agreed to roll excess funds from Phase IV into Phase V as needed. The City's matching portion continues to be labor and equipment, therefore Change Order No. 1 has no financial implication for the City.

Staff recommended approval of the proposed ordinance to execute Change Order No. 1 with Orr Wyatt Streetscapes for the Mozingo Lake Trail, Phase V in an increased amount not-to-exceed twenty-two thousand (\$22,000). With prior approval from DNR on design and use of Phase IV funds, staff recommends construction of the additions shown on the attached map to ensure ADA compliance. Once the trail segments are complete, a total of approximately 1.8 miles of paved trails will be available to the public 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 McDowell, approval of the proposed ordinance to execute Change Order No. 1 with Orr Wyatt Streetscapes for the Mozingo Lake Trail, Phase V in an increased amount not-to-exceed twenty-two thousand (\$22,000). 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. 7793 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. 2015-31.

REPORTS

I. NWMSU/Student Senate Liaison

- *NWMSU Holding Surplus Sale.* Student Liaison Hannah Sears stated that NWMSU will be holding a surplus sale on September 29, 2015, beginning at 10:00 a.m. Freshmen will begin moving into their dorms on August 27, 2015 and fall sessions begin August 31, 2015.
- *Family Weekend at NWMSU.* Family Weekend is scheduled at Northwest Missouri State University for September 26 and 27, 2015.

II. City Manager

- *Cooper Street Drainage Improvement Project* – On Thursday, September 10th, the City of Maryville and contractor White Cloud Engineering and Construction Company began the installation of two (2) new fifty-

four inch (54”) arch culverts at Cooper Street near Judah Park. The project is a joint emergency repair of the road washout after significant rainfall produced flooding in June and July. After the contractor installs and backfills the area, the Street Maintenance Division of Public Works will begin pouring concrete for the roadway. The project is anticipated to cost a total of sixty-three thousand dollars (\$63,500) between contract labor, materials and in-house expenses. Staff has applied for Federal Emergency Management Association (FEMA) funds after Governor Nixon declared Nodaway County eligible for disaster assistance August 31st. Several meetings with FEMA representatives on the project have occurred and will be ongoing.

- *Lighting Retrofit Project RFP.* The City of Maryville is requesting proposals from qualified firms for the retrofit of existing light fixtures with light emitting diode (LED) bulbs at several locations. The locations included in the request are, City Hall, Maryville Public Safety, Street Department, New Nodaway Humane Society, Maryville Public Library, and the twenty-nine (29) original decorative downtown street lights. Proposals are being accepted to assist the City with continued analysis of efficiency and facility upgrades. Proposals will be accepted until 10:00 a.m., Friday September 18, 2015.
- *Transfer Station RFP.* The City of Maryville has released a Request for Proposals (RFP) for the Operation, Maintenance, and Commercial Use of the Maryville Transfer Station. The City is exploring the opportunity to exit from the operation of the solid waste transfer station and potentially lease the facility to a selected operator. The operator would be responsible for all duties and tasks involved with the acceptance of refuse, transfer, and delivery to an approved landfill. Bids are due December 1, 2015 by 10 a.m. and there will be a pre-bid meeting on October 5th at 10 a.m. in City Hall to answer any questions. The RFP specifically states that the City reserves the right to accept or reject any and all proposals and seek additional solid waste management options if necessary.
- *MIRMA FATS Training* – On September 2, 2015, Jeff Arp, Missouri Intergovernmental Risk Management Association’s Loss Prevention Specialist visited Maryville Public Safety to perform annual training for all Officers on the FATS (Firearms Training Simulator) machine. All Officers performed well and Jeff has documented that in the form of a letter filed with the Human Resources Manager. This training opportunity is equally valuable to the actual live-fire range qualifications conducted twice a year. The training goes beyond bullets on a target and challenges the Officers analytical skills and ability to deescalate the situation without force. Several management staff and Councilwoman Martin participated in the training. MIRMA also allowed MPS Director Keith Wood to use the FATS machine for a Police & Society class he teaches at Northwest Missouri State University on Wednesday evenings.
- *Safewise Ranking* – On Tuesday, September 8, 2015, the City of Maryville was notified that Maryville ranked amongst the Top 50 Safest College Towns in America by Safewise.com. Maryville ranked number thirty-two of fifty (32 of 50) and was the only Missouri community on the list. Safewise combined data from recent FBI Crime Reports with their own research to create the list. The City of Maryville would like to recognize Maryville Public Safety, Northwest Police Department, Nodaway County Sheriff’s Office,

Missouri State Highway Patrol, County Prosecutor Bob Rice and all the various support services that continue to ensure Maryville remains a safe community.

- *Missouri Hope 2015* – Northwest Missouri State University will be conducting the third annual Missouri Hope disaster response field training exercise from September 18 – 20, 2015 with setup occurring on the September 17, 2015. City staff and elected officials are invited to visit the exercises. Preferable times would be Friday from 2:00-4:00 p.m., Saturday from 9:00-11:00 a.m. or 2:00-4:00 p.m. or Sunday from 9:00-11:00 a.m. Please contact Dr. Mark Corson at mcorson@nwmissouri.edu if you plan on attending. Students and faculty are coming as far away as North Carolina to take part in the training. Numerous agencies will be on hand to assist as well as an advanced medical participant to train future health care providers.
- *Youth Camp at Mozingo Lake Recreation Park* - Northwest Missouri Solid Waste Management District, Missouri Master Naturalist, and Missouri Department of Natural Resources will be organizing and delivering a morning program for secondary science students at the Mozingo Youth Camp on October 27, 2015. The purpose of the program is to demonstrate firsthand how decisions we make to recycle make a difference in the health of our natural environment. The NWSWMD and MMN are inviting schools in the five county region. There will be a short presentation on recycling and the impacts it has on the environment as well as our water supply. The groups will also explore the Mozingo Lake Recreation Park shoreline habitat.
- *Cabin No. 8 at Mozingo Lake Recreation Park*. Foundation work for Cabin 8 has started this past week. The contractor expects to be complete with foundation construction by the middle of this week, at which time the Northwest Technical School will begin construction of the Cabin No. 8 structure. The cabin is expected to be complete and available to the public by July 1, 2016.
- *Economic Impact Survey for Mozingo Lake Recreation Park*. Staff began collecting data to be used for the Mozingo Lake Economic Impact Study over the past week. Staff is utilizing both a paper survey and an online survey to collect data and to date has over 100 respondents. Staff anticipates having all of the data collected and returned by the end of September.
- *PGA Professional at Mozingo Lake Recreation Park*. Head Golf Pro Kyle Easter recently passed his Level 1 test and portfolio for his PGA Certification. This test marks completion of over half of the requirements towards his Class A-1 PGA Certification, which is the top level of golf professional. Kyle anticipates completing his Class A-1 PGA certification by late.

III. City Council

- *Nothing to report*

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: Councilman Shipley, yea; Councilman McDowell, yea; Councilwoman Martin, yea; Councilman Riggs, yea; Mayor Riedel, yea. Motion carried.

Meeting was adjourned at 8:55 p.m.

Renee Riedel, Mayor

ATTEST:

Sheila Smail, City Clerk