

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

The Council of the City of Maryville, Missouri, met in regular session on Monday, October 12, 2015, at City Hall, 415 North Market Street, in said City at 7:00 p.m.

**PUBLIC HEARINGS:**

• **A Public Hearing Regarding Tax Increment Redevelopment Plans – Supporting Information**

Mayor Riedel opened a Public Hearing to allow citizens to be heard regarding Tax Increment Redevelopment Plans – Supporting Information. Any persons wishing to speak on the subject was asked to stand and state their name and address for the record.

City Manager McDanel stated that Section 99.865 of the Revised Statutes of Missouri, requires that five (5) years after the establishment of a redevelopment plan and every five (5) years thereafter the governing body shall hold a public hearing regarding those redevelopment plans and projects created pursuant to sections 99.800 to 99.865. The purpose of the hearing shall be to determine if the redevelopment project is making satisfactory progress under the proposed time schedule contained within the approved plans for the completion of such projects.

In preparation for the public hearing to be held with the respect to the tax increment financing plan for the LMP Steel & Wire Company, now commonly referred to as NUCOR-LMP Tax Increment Financing Plan, and the Maryville Town Center Tax Increment Financing Plan, staff compiled information for a review by the City Council Members.

**NUCOR-LMP TIF Plan:**

1. The redevelopment project area described in the NUCOR-LMP TIF plan consisted of approximately twenty-two (22) acres for additional space to accommodate an expansion as a result of the acquisition of a business previously located in Hammond, Indiana, necessary improvements to water infrastructure and parking lot and roadway entrance improvements.
2. The NUCOR-L MP TIF plan provided: The planned date of completion was December 31, 2009. The estimated date of completion for the remaining reimbursable costs was June 30, 2014.
3. The Council approved the NUCOR-LMP TIF plan and the redevelopment project described therein on April 12, 2004.
4. The redevelopment agreement dated, April 12, 2004 between the City and NUCOR- LMP provided that (all revenue estimated to be received by the taxing districts directly from the redevelopment area) during the entire life of the plan shall have a cost benefit analysis and impact on the economy, if the redevelopment project is completed and built pursuant to the planned developed.
5. The redevelopment agreement called for collection of PILOT payments each year after the effective date of the ordinance until the redevelopment project costs have been paid, or until June 30, 2014, whichever comes first.
6. At the May 28, 2014 City Council meeting, the NUCOR-LMP Steel & Wire Company Redevelopment Project was terminated effective June 30, 2014, as it was the first to occur of the stated events under the redevelopment agreement.
7. Real property tax revenues generated from the incremental increase in the project's assessed valuation were used to reimburse Nucor-LMP and the City for Reimbursable Project Costs. These Payments in Lieu of Taxes (PILOT's) totaled \$186,515.19 over the life of the TIF District. According to the agreement, 90% of the PILOT's were distributed to Nucor-LMP and 10% to the City to reimburse its' attorney fees. Nucor-LMP submitted \$299,629.73 in reimbursable project costs but reimbursement was limited to \$167,863.66, their 90% share of the PILOT's.

**MARYVILLE TOWN CENTER TIF Plan:**

1. The redevelopment project area described in the Maryville Town Center TIF plan at the time of the plan submittal consisted of a Phase I for approximately ten (10) acres for additional space to accommodate the redevelopment of a deteriorated area, including a functionally obsolete strip mall containing: three (3) small junior anchor spaces being occupied by a discount store, a vacant shop, and a grocery store; six (6) miscellaneous retail spaces, two (2) of which were vacant; and two (2) out lots used for a fast food restaurant and a bank. At the time of the submittal, the vacant stand-alone facility which was formerly occupied by Wal-Mart was Phase II of the redevelopment plan. The total

retail Area as planned in the Maryville Town Center TIF plan called for 85,863 square feet of retail space and 484 total parking spaces with a parking ratio of 5.64 spaces / 1000 square feet.

2. The Maryville Town Center TIF plan provides: The planned date of completion was set as on or before January 2006. The estimated date of completion for the remaining reimbursable costs is 2027, a period not to exceed 23 years.

3. The Council approved the Maryville Town Center TIF plan and the redevelopment project described therein on February 4, 2005.

4. The Maryville Town Center TIF plan provided a cost benefit analysis showing the impact on the taxing districts, including the revenue estimated to be received by the taxing districts directly from the redevelopment area during the entire life of the plan if the redevelopment project was completed and built pursuant to the plan.

5. Although the project did not complete all square footage planned in the Maryville Town Center TIF project, the project did receive a certificate of substantial completion. This was due to the fact that as per the TIF development agreement dated February 4, 2005, any changes in project implementation do not warrant City review unless the aggregate amount of TIF Revenues generated within the Redevelopment Project Area I were reduced to an amount less than 90% of the aggregate amount of originally projected TIF Revenues. An analysis by our financial consultants indicated the change did not drop below the threshold.

6. \$2,580,000 in Tax Increment Revenue Bonds were issued in October 2005, with a final maturity of March 1, 2026.

7. The Series 2005 Bonds were refunded in September 2015 through the issuance of \$1,745,000 in Tax Increment Refunding Revenue Bonds using a super-sinker structure which allows for the possibility of early prepayment should there be sufficient revenues generated in the TIF redevelopment area.

8. Although actual TIF revenues are approximately 75% of the originally projected TIF revenues forecasted by the developer, sufficient revenues are anticipated to pay off the bonds by the final maturity date of March 1, 2026, with the possibility of prepayments from excess revenues allowing for a complete pay-off an estimated two (2) years earlier.

At the conclusion of each public hearing, the Council is to make a determination as to whether each redevelopment project is making satisfactory progress.

Council Members agreed to the conclusions presented by city staff regarding satisfactory progress of the TIF Plans:

**NUCOR-LMP Plan:**

“Based on the information submitted to the City Council at the public hearing, the Council finds and determines that the redevelopment project described in the NUCOR-LMP Plan has been completed and closed out in accordance with the TIF Plan. No further action by the City will be required.

**Maryville Town Center Plan:**

“Based on the information submitted to the City Council at the public hearing, the Council finds and determines that the redevelopment project described in the Maryville Town Center Plan is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such projects.”

With no further discussion or comments, 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; 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.

An addition to the agenda for a request to hold the Northwest Missouri State University Homecoming Parade upon city streets was added to the agenda. This item was received on the date of October 12, 2015 and since there would

not be another City Council meeting until after the date the event is requested to be held, it was necessary to add it to the agenda for approval. It was recommended that it be inserted after "Citizens to be Heard".

Motion was made by Councilman Shipley, seconded by Councilman McDowell, that the agenda be approved as amended. 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 September 14 and 21, 2015 and Budget Workshops on August 24, September 9 and 14, 2015, be noted at this time.

Motion was made by Councilwoman Martin, seconded by Councilman McDowell, 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.

#### **BUSINESS WOMEN OF MISSOURI PROCLAMATION**

Mayor Riedel read a proclamation designating October 18-24, 2015 as "Business Women of Missouri Week" and congratulated them on their accomplishments.

Representatives of the Maryville Business Women of Missouri were present to receive the proclamation.

#### **"I WILL LISTEN" CAMPAIGN, BY CARLA EDWARDS**

Carla Edwards, Community Leader for the "I Will Listen" campaign spoke to the Council Members. Other members of the organization also attended. The organization's mission is suicide prevention and to educate people about mental illness.

They requested the participation of the City Council Members as they host a fund raising event on Wednesday, October 14, 2015 on Northwest Missouri State University campus.

City Council Members agreed to be present at the event.

#### **TREASURER'S REPORT**

Dir., Finance Denise Town reported that during the month of September, 2015, the City received non-reoccurring funds from NCED - NAP reimbursement for the 4<sup>th</sup> Street Project (\$18,722) and MoDOT for reimbursement Request No. 8 for the Airport Runway Rehabilitation Project (\$26,508).

Non-reoccurring disbursements for the month of August 2015 included payments to David E. Ross for Wastewater Treatment Plant, pay estimate #23 (\$121,584.65); SK Design Group for the South Main Street study (\$13,642.40); HDR Engineering for Wastewater Treatment Plant Project, engineering services (\$12,446.51); Missouri Department of Natural Resources, for water and sewer primacy fees (collected & remitted) (\$19,788.64); Allied Systems for lift station pump and motor repairs (\$10,951.15); Keller Construction for asphalt overlay and repairs (\$239,790); Mark Burnside, for reimbursement for relocation of City water main on Eastside Development (\$17,600.00); Missouri Intergovernmental Risk Management Association (MIRMA) for Wastewater Treatment Plant for addition to property schedule (\$14,575.50).

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

#### **PAYMENT VENDOR SCHEDULE**

Motion was made by Councilwoman Martin, seconded by Councilman Riggs, 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.

#### **REQUEST TO HOLD NORTHWEST MISSOURI STATE UNIVERSITY HOMECOMING PARADE ON CITY STREETS**

An application was received earlier that day from the committee organizing the Northwest Missouri State University Homecoming Parade. The parade was proposed to be held on Saturday, October 24, 2015, beginning at

9:00 a.m. The parade route was described as beginning at the area of College Avenue and North Ray Avenue, going east on College Avenue/West 4<sup>th</sup> Street to North Market Street.

Staff recommended approval of the requested event.

Motion was made by Councilman Shipley, seconded by Councilwoman Martin, to approve the proposed NWMSU Homecoming Parade to be held on Saturday, October 24, 2015, beginning at 9:00 a.m. 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.

**AN ORDINANCE TO EXECUTE ADDENDUM NO. 2, CONTRACT FOR ANIMAL CONTROL, WITH THE NEW NODAWAY HUMANE SOCIETY FOR ANIMAL CONTROL, SHELTER AND OTHER SERVICES**

The City Clerk presented a bill, Bill No. 2015'103 for an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE ADDENDUM NO. 2, CONTRACT FOR ANIMAL CONTROL, WITH THE NEW NODAWAY HUMANE SOCIETY, FOR ANIMAL CONTROL, SHELTER, AND OTHER SERVICES, MARYVILLE, MISSOURI.**

On January 10, 2011, the City of Maryville entered into a contract with the New Nodaway Humane Society (NNHS) for animal control, shelter, and other services. NNHS currently operates the New Nodaway Humane Society (NNHS) Animal Shelter located at 829 South Depot Street. According to the contract, the City agrees to pay the NNHS four thousand four hundred dollars (\$4,400) per month (\$52,800 annually) to perform duties outlined in the agreement. The NNHS agrees to provide animal control services and employ an Animal Control Officer who shall have a response time of thirty (30) minutes or less during shelter hours and within reasonable response time when the shelter is closed. The NNHS agrees to have the shelter open to the public for animal control and adoption a minimum of twenty (20) hours per week. The contract also includes the City providing a vehicle to NNHS for the purposes of animal control. The City shall determine the vehicle and be responsible for all reasonable repair. Routine maintenance of said vehicle is the responsibility of NNHS. The City is responsible for snow removal and lawn upkeep of the shelter. The contract requires a monthly report from NNHS to be delivered to the City and include number of service calls, animals collected, status of animals, number of adoptions, length of stay, and number of tags sold. The term of the original agreement was from January 10, 2011 to September 30, 2015.

On October 24, 2011, the City Council approved Addendum No. 1 to the contract increasing the monthly payment to six thousand nine hundred dollars (\$6,900) per month (\$82,800 annually). The revised amount remained consistent until September 2013 when members from the NNHS approached City Council to request an additional thirty thousand dollars (\$30,000) for FY14. The request was granted and the monthly payment was revised to nine thousand four hundred dollars (\$9,400) for FY14 (\$112,800 annually). Although the same financial request was made by NNHS in FY15, the City Council returned the monthly payment to the contractual level.

Over the past year, the Mayor and City Manager have been meeting with several NNHS Board members to discuss the existing contract expiring on September 30, 2015. Numerous discussions were had regarding the NNHS, services, adoption protocol, and shelter efficiencies. Although these discussions were positive, a thorough and revised contract was not drafted prior to expiration. On September 14, 2015, NNHS Board members returned to the City Council to request a one (1) year extension of the contract with an increased request of seven thousand nine hundred dollars (\$7,900) per month (\$94,800 for FY16).

Due to budget constraints, the City Council was faced with difficult decisions regarding program funding requests for the FY16 Budget. As a result, the budget includes a total of sixty thousand dollars (\$60,000) for the NNHS. In addition, the City has also included the shelter in a potential LED Lighting Retrofit Project to reduce energy costs at the facility. The value of the project is approximately twelve thousand dollars (\$12,000), however should result in a two thousand eight hundred dollar (\$2,800) per year savings with a five (5) year payback.

Upon approval of the FY16 Budget, the City Council notified NNHS of the funding included and proposed Addendum No. 2 for their consideration. According to Addendum No. 2, the original terms of the 2011 contract will be extended until September 30, 2016. During discussions, it also became apparent that the budget of NNHS is challenging due to receipt timing of grants and donations. In order to assist with cash flow, Addendum No. 2 included a one-time payment of sixty thousand dollars (\$60,000) rather than a per month amount. The addendum also formalizes the water/sewer fee waiver that began under previous management, however was not included in the current contract. An

outline of the Lighting Retrofit Project was included in the contract extension. Addendum No. 2 was provided to NNHS and the President of the Board had now executed it for final City Council consideration.

Staff recommended approval of the proposed ordinance to execute Addendum No. 2, Contract for Animal Control, with the New Nodaway Humane Society for animal control, shelter, and other services.

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

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

A motion was made by Councilwoman Martin, seconded by Councilman Riggs, to approve of the proposed ordinance to execute Addendum No. 2, Contract for Animal Control, with the New Nodaway Humane Society for animal control, shelter, and other services. 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. 7796 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. 2011-02.

#### **AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT OF OBLIGATION WITH THE MISSOURI DEPARTMENT OF NATURAL RESOURCES**

The City Clerk presented a bill, Bill No. 2015'104 for an ordinance entitled:

#### **AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT OF OBLIGATION WITH THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, MARYVILLE, MISSOURI.**

The Missouri Department of Natural Resources (MDNR) issues permits to operate sanitary landfills, which are governed by the Code of State Regulations. These laws require the City to submit a Financial Assurance Instrument (FAI) for post-closure costs to ensure compliance with these regulations. Municipalities may satisfy the requirements by signing a Contract of Obligation for the full amount of the approved thirty (30) year post-closure care cost estimates and passing a financial test comprised of various ratios and information. This contract allows MDNR to collect the required amount from any funds being disbursed by Missouri to the City to cover the post-closure care costs should the City be in non-compliance with the State.

MDNR reviews the FAI annually to update it for inflation and requires it be adjusted to reflect the present value of the requirement. The new FAI amount for the City of Maryville is one million eight hundred eighty-two thousand nine hundred seventy-two dollars (\$1,882,972), which represents a decrease of forty-eight thousand seven hundred eighteen dollars (\$48,718) from 2014. This is the second decrease in the FAI, as a result of reaching the seventh anniversary of the post-closure period as defined in the Code of State Regulations. These regulations allow for an annual decrease in an amount equal to the estimated post-closure care cost for the previous twelve (12) months.

Staff recommended approval of the ordinance to execute a Contract of Obligation with the Missouri Department of Natural Resources for purposes of fulfilling the City's financial assurance instrument as required by State law. The ordinance is an annual formality for the City of Maryville to ensure proper financial management of a landfill closure.

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 of Obligation with the Missouri Department of Natural Resources for purposes of fulfilling the City's financial assurance instrument as required by State law. 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. 7797 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. 2015-54.

**AN ORDINANCE TO EXECUTE A MASTER EFFICIENCY LEASE AGREEMENT WITH BRIGHTERGY, LLC FOR THE LIGHTING RETROFIT PROJECT**

The City Clerk presented a bill, Bill No. 2015'105 for an Ordinance entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE TO EXECUTE A MASTER EFFICIENCY LEASE AGREEMENT WITH BRIGHTERGY, LLC FOR THE LIGHTING RETROFIT PROJECT, MARYVILLE, MISSOURI.**

In October 2014, the City of Maryville entered into a contract with Brightergy, LLC to perform a lighting retrofit project at the Maryville Water Treatment Plant. The project replaced all existing lighting at the facility with light emitting diode (LED) bulbs to improve energy efficiency. The total project was nine thousand three hundred dollars (\$9,300) with a fifty percent (50%) rebate through a program with Kansas City Power & Light (KCP&L). The audit reflected a total savings of fifteen thousand five hundred fifty dollars (\$15,550) over ten (10) years with a payback in 2.64 years. Not only has the project improved safety for plant employees, it assisted with a three thousand six hundred one and 94/100 dollar (\$3,601.94) reduction in energy costs within the first year.

Staff continued to analyze other efficiency projects at city-owned facilities and has worked with Brightergy, LLC to perform energy audits at several locations. The audits included City Hall (415 N. Market), Maryville Public Safety (222 E. 3<sup>rd</sup> Street), Street Department (113 N. Newton), New Nodaway Humane Society (NNHS) Animal Shelter (829 S. Depot), and the original twenty-nine (29) downtown decorative street lights. Although the NNHS Shelter is not city-owned, the City provides substantial funding to the organization and has an interest in ensuring efficiency and potential long-term cost savings. The energy audits showed a substantial cost savings at each facility, with the largest saving at the Street Department. Not only does this facility have the oldest light fixtures, but the highest kWh savings due to extended operation hours for snow removal efforts, etc. According to the audit a Lighting Retrofit Project at these locations would collectively reduce the annual kilowatt usage by fifty-eight percent (58%) resulting in a ten (10) year total savings of one hundred eighty-six thousand three hundred eighty-six dollars (\$186,386).

On September 8, 2015, the City released a Request for Proposals (RFP) for a Lighting Retrofit Project at the five (5) locations mentioned above. The RFP also included a bid alternate for the Maryville Public Library who also voiced interest in a similar project. The RFP was released in accordance with our bidding procedures to ensure any and all interested parties were provided the opportunity to quote the project. The RFP was placed on the City's website, advertised in the local newspaper, and direct mailed to other firms that bid on the original 2014 LED project. Brightergy, LLC was the only firm to provide a bid for the Lighting Retrofit Project.

According to the Brightergy, LLC proposal, the total cost for LED replacements of all fixtures referenced in the RFP is one hundred eight thousand three hundred twenty-seven thousand dollars (\$108,327) of which fifty-two thousand seven hundred twenty-seven dollars (\$52,727) will be funded through a rebate program with KCP&L. These improvements will lead to a total ten (10) year savings of one hundred eighty-seven thousand twenty-seven dollars (\$187,027), plus an additional fifty-four thousand nine hundred fifty-nine dollars (\$54,959) in maintenance and replacement costs. The proposal includes an option of entering into a Master Efficiency Lease Agreement to assist with upfront costs of the project. According to the lease, the City would make four (4) annual payments of \$13,900, or a total of \$55,600. The audit indicates that for each of the four (4) years during the lease the estimated energy cost savings is over \$14,500.

Several benefits to installing energy efficient LED lighting include:

- *Lower energy costs.* Compared to incandescent lamps, LED lighting can save up to 84% in energy costs.
- *Longer service life.* Average LED lifetime is 35,000-50,000 hours or the equivalent of more than 10 years thereby reducing long-term materials costs.
- *Less heat generation.* thereby reducing impact on HVAC loads
- *Improved light quality.* Consumers often are accustomed to "warm glow" of incandescent bulbs. LED lighting provides a brighter, cleaner light.
- *Durability.* Unlike regular light bulbs, LED's will not shatter and do not contain gasses like Mercury or electrodes that can snap.
- *Reduced environmental impact.* Longer product lifetime equates to fewer lights produced, packaged, transported and eventually discarded.

Staff recommended approval of the proposed ordinance to execute a Master Efficiency Lease Agreement with Brightergy, LLC for the Lighting Retrofit Project. The Lighting Retrofit Project as proposed should result in an immediate energy cost savings collectively for the facilities identified and nearly two hundred fifty thousand dollars (\$250,000) in savings over ten (10) years to the General Fund. In addition to long-term savings to the General Fund, the project improves safety for employees, especially at the Street Department. Replacing the twenty-nine (29) decorative street lights with LED fixtures will provide a brighter light for downtown to improve aesthetics and safety. The bid alternate included for the Maryville Public Library has been forwarded to them for their consideration and they may elect to execute their own contract. The Master Efficiency Lease Agreement assists with avoiding a large one-time capital expenditure from the General Fund and ensuring that all maintenance during the lease agreement will be the responsibility of Brightergy, LLC.

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

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

Motion was made by Councilman Riggs, seconded by Councilwoman Martin, to approve the proposed resolution to amend the City of Maryville Financial Policies. 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 identified as Ordinance No. 7798 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. 2015-55.

**AN ORDINANCE TO AMEND SECTION 320.030: SPEED LIMITS, OF CHAPTER 320: SPEED REGULATIONS, OF THE MUNICIPAL CODE OF MARYVILLE**

The City Clerk presented a bill, Bill No. 2015'106 for an ordinance entitled:

**AN ORDINANCE TO AMEND SECTION 320.030: SPEED LIMITS, OF CHAPTER 320: SPEED REGULATIONS, OF THE MUNICIPAL CODE OF MARYVILLE, MARYVILLE, MISSOURI.**

The City of Maryville and the Missouri Department of Transportation (MoDOT) have received several complaints regarding the current speed limits on the U.S. Highway 71 Bypass. More specifically, motorists are concerned with the 60 mph speed limit on U.S. Highway 71 Bypass at the intersection of U.S. 136/East First Street. Complainants note that northbound and southbound drivers continue through this intersection at a high rate of speed often attempting to make yellow lights and running red lights. According to Section 320.030: Speed Limits, U.S. Highway 71, from the south City limits to the north City limits is 60 mph. Several years ago the speed limit on U.S. Highway 71 near Kawasaki was reduced to 45 mph by MoDOT arbitrarily.

Staff has been discussing with MoDOT Traffic Analysts regarding these concerns and the decision is ultimately in the hands of the City Council. A MoDOT speed study shows that the intersection of U.S. Highway 71 Bypass and U.S. Highway 136 has a low crash rate of 0.43 crashes per million entering vehicles and excellent sight distance. The data does however suggest that the speed throughout this corridor should be 55 mph. Staff discussed another intersection of concern at U.S. Highway 71 Bypass and E. South Ave/268<sup>th</sup> Street. Although the areas has excellent sight distance, the intersection appears to be the location of numerous near-miss accidents. Upon review, MoDOT strongly discouraged the significant reduction of speed limits in this areas as the lowering could contribute to more accidents. MoDOT states that drivers are more influenced by roadway conditions and in this areas would drive the speed they feel safe regardless of unrealistic speed limit posts. This could create a more dangerous intersection by drivers trying to obey a low speed limit on a driver friendly stretch of highway. Instead, MoDOT suggest the addition of "cross intersection ahead" signs for traffic traveling northbound at South Avenue to warn motorists of the upcoming intersection.

MoDOT recommends reducing the speed throughout the corridor to 55 mph and ensuring the consistency of speed on the bypass rather than multiple speed zones. This recommendation actually increases the speed from 45 mph to 55 mph near Kawasaki Motors Manufacturing.

Staff recommended approval of the proposed ordinance to amend Section 320.050: Speed Limits, of Chapter 320: Speed Regulations of the Municipal Code of Maryville to reduce the speed limit on U.S. Highway 71 Bypass to 55 mph from south City limits to north City limits. MoDOT and Maryville Public Safety feel a consistent speed zone through the corridor is crucial for drivers. The proposed speed slightly reduces the speed limit at U.S. Highway 71 Bypass and U.S. Highway 136 intersection while increasing the speed limit at the intersection of U.S. Highway 71 Bypass and Business Highway 71. Staff added that there was no urgency on this item and that if more discussion was needed, a decision did not have to be made right away.

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 proposed ordinance to amend Section 320.050: Speed Limits, of Chapter 320: Speed Regulations of the Municipal Code of Maryville to reduce the speed limit on U.S. Highway 71 Bypass to 55 mph from south City limits to north City limits.. 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. 7799 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

### **APPOINT THREE MEMBERS TO THE MOZINGO LAKE RECREATION PARK ADVISORY BOARD, FOR A 3 YEAR TERM**

As of October 1, 2015, the Mozingo Advisory Board has three (3) vacant board member positions. Staff has notified the three (3) board members and who have expressed their desire to be reappointed to the Mozingo Advisory Board for an additional three (3) year term.

Staff has advertised the open board member positions the City website and the Mozingo Lake Recreation Park website, announced on water bills, and posted at City Hall. No applications have been received to be considered for the positions, other than the existing board members who wish to be reappointed. Members to be considered for reappointment include Ed Higdon, Bob Cooper, and Tom Martin. If reappointed, their terms will begin immediately and expire September 30, 2018.

Motion was made by Councilwoman Martin, seconded by Councilman Riggs, to re-appoint Ed Higdon, Bob Cooper, and Tom Martin to another three (3) year term on the Mozingo Lake Recreation Park Advisory Board. 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.

## **REPORTS**

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

- *NWMSU Student Attendance:* Northwest Missouri State University has a total of six thousand nine hundred eighty-two students attending classes this fall. There is an increase of eleven percent (11%) of Freshman Students and overall more International Students.

### **II. City Manager**

- *Cooper Street Drainage Improvement Project* – White Cloud Engineering and Construction Company has completed the installation of two (2) new 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. The Street Maintenance Division of Public Works poured new concrete curbs and roadway the week of October 5, 2015 and the street will be open to public traffic on Wednesday, October 14, 2015. The project is anticipated

to cost a total of sixty-three thousand five hundred 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 31, 2015. Several meetings with FEMA representatives on the project have occurred and will be ongoing.

- *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 was a pre-bid meeting on October 5th at 10 a.m. in City Hall to answer various questions. The pre-bid meeting was attended by all known local haulers. 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.
- *Grand Avenue Trail Project* – In early 2015, the City of Maryville applied for a Recreational Trails Program (RTP) grant through the Missouri Department of Natural Resources (MDNR) for the Grand Avenue Trail Project. The proposed project would construct a ten (10) foot wide concrete trail on the west side of Grand Avenue from College to W. First Street. Unfortunately, the City was notified that the project was not selected for funding in 2015. Another round of grant funding will be available in early 2016 and staff may also apply for Missouri Department of Transportation (MoDOT) Transportation Alternatives Program (TAP) funding for the project.
- *Spoofhound Trail Extension Project, TAP 4300(109)* – Design and engineering of the Spoofhound Trail Extension Project, TAP 4300(109) by Snyder & Associates is now complete. Right-of-Way plans have been sent to the Missouri Department of Transportation (MoDOT) for their review and a request for an “Acquisition Authority Date” has also been sent. Approval of the Acquisition Authority Date will allow the City to finalize necessary right-of-way with the Maryville R-II School District and proceed toward construction. The Spoofhound Trail Extension Project connects the existing Safe Routes to School Trail east of the Maryville High School football field to the Munn Avenue Trail. The project is funded eighty percent (80%) through the Transportation Alternative Program (TAP).
- *2015 Sanitary Sewer Manhole Lining Project* – The City of Maryville has issued a Request for Proposals (RFP) from qualified firms for the lining of sanitary sewer manholes to alleviate the inflow and infiltration of storm water into the system. The RFP includes a base bid of one hundred (100) manholes and an alternate bid for another fifty (50) manholes. An optional pre-bid meeting will be held on Tuesday, October 13, 2015 at 1:00 pm and proposals will be accepted until 10:00 am Thursday, November 5, 2015. The FY16 Budget includes a total of two hundred twenty-five thousand dollars (\$225,000) for efforts to line/repair manholes in the Water/Sewer Fund.
- *Leadership Maryville* – The 2015 Leadership Maryville class sponsored by the Greater Maryville Chamber of Commerce is now underway. On Tuesday, October 6, 2015, City Manager Greg McDanel and Assistant City Manager Ryan Heiland spoke to the group to discuss the City of Maryville and Mazingo Lake Recreation Park. The discussion focused on City services within the community, the importance of ongoing support for Mazingo, and how class members can get involved with local government. The 2015 Leadership Maryville class includes twenty-one (21) participants from the area representing a wide variety of businesses and organizations. The FY16 Budget includes one thousand five hundred dollars (\$1,500) in support for the Leadership Maryville program.
- *Employee Wellness Weight Loss Challenge* - Maryville Parks & Recreation has partnered with the City of Maryville to organize a departmental weight loss challenge. The eight (8) week long competition will run October 5, 2015 through November 23, 2015. Teams are competing for the highest percentage of total weight lost and can also earn bonus activity points. The winning team will win various prizes for their efforts. Participants in the challenge will receive support in their weight loss journey through lunch and learn sessions with group activities. A total of twenty-nine (29) people are registered representing six (6) different teams of nearly all city departments.

- *CTRIP at 511 W. 4th Street* – The City of Maryville has approved an application for the Campus Town Redevelopment Incentive Program (CTRIP) at 511 West 4th Street. The residential structure owned by Hubert Gumm suffered damage from a fire in late September and will be demolished to facilitate the construction of a new duplex. In exchange for the CTRIP approval, city staff negotiated a five (5) foot wide General Drainage and Utility Easement from the west side of the property along Peach Creek to facilitate any future improvements that may be necessary. The estimated total private investment in this project is \$200,000 and should be complete before February 1, 2016.
- *CTRIP at 507 W. 5th Street* – The City of Maryville has approved an application for the Campus Town Redevelopment Incentive Program (CTRIP) at 507 West 7th Street. The residential structure owned by Darin Loe is nearing the definition of substandard and will be demolished to facilitate the construction of a new duplex. In exchange for the CTRIP approval, city staff negotiated a five (5) foot wide General Drainage and Utility Easement from the west side of the property along Peach Creek to facilitate any future improvements that may be necessary. The adjacent property to the west was one of the original CTRIP projects that led to the removal of two (2) unsafe and dangerous structures, five (5) dilapidated trailers, and major improvements to the Peach Creek channel. The estimate total private investment in this project is \$250,000 and should be complete in June 2016.
- *Surplus of Aircraft Hangar at Northwest Missouri Regional Airport* – The City of Maryville has released a Request for Proposals (RFP) to interested parties for the surplus sale of a City owned aircraft hangar located at Northwest Missouri Regional Airport. The property has been declared as surplus and not necessary for municipal purposes. The hangar was acquired by the City in 2011 from the Missouri National Guard and has remained vacant since acquisition. The hangar is considered substandard and in need of repair. In 2014, the hangar tested positive for asbestos in the walls of the hangar. Also, the roof is in need of repair and both hangar bays are without doors. The surplus sale only includes the aircraft hangar and the successful bidder will be required to repair the facility to bid specifications and enter into a standard hangar lease for the property. The surplus of the aircraft hangar is to ensure it is used in a meaningful economic and aesthetic purpose. Proposal and repair requirements can be found at [www.maryville.org](http://www.maryville.org) and bids are due no later than 10:00 am, October 21, 2015.
- *Cabin No. 8 at Mozingo Lake Recreation Park* - The Maryville R-II School District Northwest Technical School (NTS) is making significant progress on the construction of Cabin No 8. The foundation is complete, the base floor installed, and framing for the first floor is approximately fifty percent (50%) complete. NTS expects to have the roof framed in by the end of the month with the goal of having the structure enclosed by Thanksgiving. It is expected the cabin will be available to the public by July 1, 2016.
- *Fall Activities at Mozingo Lake Recreation Park* -This Saturday, October 17, 2015, Mozingo Lake Recreation Park will be hosting two (2) large events. The first event will be the 2nd annual Hy-Vee 7-mile & 5k Trail Run. Activities following the run include live music, BBQ and beverage vendors, and other activities. Trail Run events are located at the Multi-Purpose building and will run from 9 am to 2 pm. Following the trail run is the annual Haunted Campground. Activities for the Haunted Campground begin at 3 pm with pumpkin carving, a pumpkin canon, pet costume contest, inflatables (beginning at 4 pm), and horse & carriage rides. Fees for RV camping on Friday and Saturday will be reduced to twenty dollars (\$20) for non-reservable and twenty-five dollars (\$25) for reservable. RV decorating contest includes prizes for 1st, 2nd, & 3rd place. Trick-or-Treating at the Haunted Campground will occur from 5 pm to 7 pm.
- *Mozingo Lake Recreation Park Staycation Showcase* - This past summer, KQ2 filmed a two (2) minute showcase of Mozingo Lake Recreation Park to include in their “Staycation” programming. The Staycation program is a ½ hour program that airs for a year and will be shown over thirty (30) times. The program highlights communities, amenities, and activities in the region that offer entertainment value and vacation opportunities close to home. The two (2) minute video is the property of Mozingo Lake Recreation Park and is currently posted on the website. In addition, this video will be used as a marketing tool this winter by staff at trade shows. <http://www.stjoechannel.com/community/showcase/mozingo-showcase-2015>.

**III. City Council**

- *Homecoming Parade Judge* – Councilman McDowell has volunteered to judge the Northwest Missouri State University Parade.
- *Wells Bank Groundbreaking* – The ground breaking ceremony for Well’s Bank is scheduled for Tuesday, October 13, 2015, at 2:00 p.m.
- *Successful “Lettuce Dream” Fund Raiser Held* – A benefit dinner/auction was held for the “Lettuce Dream” cause on Saturday, October 10, 2015 and was considered a success.

**ADJOURNMENT**

Motion was made by Councilwoman Martin seconded by Councilman Riggs, that the meeting be adjourned. Upon the roll being called, the vote was as follows: Councilwoman Martin, yea; Councilman Riggs, yea; Councilman Shipley, yea; Councilman McDowell, yea; Mayor Riedel, yea. Motion carried.

Meeting was adjourned at 8:07 p.m.

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Renee Riedel, Mayor

ATTEST:

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Sheila Smail, City Clerk