

Maryville City Council
Regularly Scheduled Meeting
January 25, 2016
7:00 p.m.

The Council of the City of Maryville, Missouri, met in a regular session on Monday, January 25, 2016, at City Hall, 415 North Market Street, in said City at 7:00 p.m.

ROLL CALL

The meeting was called to order by Mayor Riedel and roll was called by the City Clerk, with the following present to-wit: Mayor Renee Riedel, Council Members, Rachael Martin, Gerald Riggs, Timothy Shipley and Jason McDowell. Others present were City Manager Greg McDanel; Asst., City Manager Ryan Heiland; City Attorney Taryn Henry; Dir., Public Works C.E. Goodall, Finance Director Denise Town, Dir., Public Safety; NWMSU Student Senate 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 Councilman Shipley, seconded by Councilman McDowell, 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.

PRESENTATION: EMPLOYEE OF THE QUARTER, 4TH QUARTER 2015

Public Works Administrative Assistant, Stacy Wood was selected as the Employee of the Quarter for the 4th quarter of 2015.

She began working for the City in 2006 as a part-time employee in the Public Works office. In 2007 she was promoted to her full-time position. Her duties include a wide variety of administrative tasks for the entire public works department, which includes Water/Wastewater, Streets, Code Enforcement, Central Garage, and GIS.

She is instrumental in keeping everyone informed and on the same page. She greets all of our customers with a smile and is quick to help anyone who is in need. Most recently, she worked with Missouri DNR to secure grant funds for the HeRO program. Without her additional efforts, this year's project would not have been approved by DNR. She has also gone above and beyond to ensure this year's grant recipient would have a complete project.

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.

Mr. Alvin Luke, Oak Point Living and Memory Care, 817 South Country Club Road, expressed his concern regarding the danger of the narrow roadway in front of the facility and the water run-off from the parking lot. Mr. Luke stated that South Country Club Road is too narrow for large trucks to pull in the drive without swinging into oncoming traffic to turn into the driveway. He recommended that the City place driveway aprons to allow a larger radius for turning.

Mr. Luke was also concerned with the amount of water running off of the parking lot onto South Country Club Road. He stated that the curbing was placed to the street which causes an excessive amount of water to accumulate on the road, which could cause a vehicle to hydroplane and cause an accident. He recommended the curbing not be taken to the street so that some of the water can drain prior to the roadway.

Dir., Public Works C.E. Goodall stated that he would visit with the Code Enforcement Officer about the situation and would be in contact with Mr. Luke.

DISCUSSION: OPERATION, MAINTENANCE, AND COMMERCIAL USE OF MARYVILLE TRANSFER STATION

The City Council adopted a short-term strategic goal to "Evaluate and Decide on Solid Waste Management Options" during the FY16 Budget process. The goal was added as a result of a significant budget deficit in the Solid Waste Fund. The Solid Waste Fund is technically an Enterprise Fund, meaning that revenues from the fund should cover all expenses for the operation. Unfortunately, decreased tonnage as a result of a competing transfer station has created an ongoing fund deficit. The City Council held a workshop on May 11, 2015 and June 22, 2015 to discuss the future of the transfer station. Further discussion occurred on July 27, 2015 and on August 10, 2015 the City Council directed staff to issue a Request for Proposal

(RFP) for the Operation, Maintenance, and Commercial Use of the Maryville Transfer Station. The RFP would provide a lease option for council to consider along with previously discussed solutions.

An RFP was released on September 2, 2015 and proposals were due on December 1, 2015. According to the RFP, the initial lease term would begin in August 2016 for a period of three (3) years with three (3) additional one (1) year renewal options. The current contractual obligations with Deffenbaugh Industries, Inc. for hauling and disposal of solid waste may be assumed by the successful bidder as negotiated between the current company and the selected operator. As part of the proposal, the operator has the option to purchase the backhoe and tractor used to haul solid waste in and out of the facility. If a firm is selected the facility is leased in an "as-is" condition and the City will work to transfer the Missouri Department of Natural Resources Operating Permit. The RFP also specifically stated that the City is exploring the lease opportunity and reserves the right to accept or reject any proposal.

The following two (2) proposals were submitted for consideration:

American Recycling & Sanitation, Inc., P.O. Box 9, Rock Port, MO 64482

General Notes: Operates solid waste transfer station in Tarkio, MO & Nebraska City, NE
www.arsinonline.com

Few hundred residential solid waste customers in Maryville

Bid Proposal: \$500.00 per month rent or 12.5 ton solid waste from City at no cost
City rate for solid waste: \$40.00 per ton
City would receive \$4.00 per ton on all solid waste through facility
Offer curbside recycling, residential/commercial trash service, & roll-offs
Negotiable on all fees and hours

Proposed User Fees: \$60.00 per ton / \$18.75 per load under 500 lbs. / \$33.00 per ton for wood/brush

Proposed Hours: M-W-F: 7:30 am to 3:30 pm
T-Th: 9:00 am to 5:00 pm
Sat: 8:30 am to Noon
Sun: Closed

Maryville Trash Cooperative

Klosek's Trash Service 411 N. 8 th Street Tarkio, MO 64492	Mozingo Sanitation 122 S. Munn Maryville, MO 64468	Gaskill & Son Trash Service 1502 E. Edwards Maryville, MO 64468
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General Notes: Will form LLC upon bid award
Familiar with Maryville Transfer Station, years of collective experience
Will accommodate hours for emergency debris scenarios
With proper permits will place recyclable containers at transfer station

Bid Proposal: \$100.00 per month rent
Free City disposal for clean fill, road sweepings, etc. up to 360 ton a year

Proposed User Fees: \$45.00 per ton / \$12.00 per load under 500 lbs. / \$33.00 per ton for wood/brush

Proposed Hours: M-F: 9:00 am to 5:00 pm
Sat: 8:00 am to 4:00 pm (seasonally)
Sun: Closed

In addition to leasing the facility to a third party for operation, maintenance and commercial use, closure of the facility remains an option.

Closure of Maryville Transfer Station –

One option to address financial instability of the Solid Waste Fund is to permanently close the Maryville Transfer Station. Closure of the transfer station would require the City of Maryville and local haulers to utilize the Highway 136 Transfer Station owned by Porter Trash, LLC or haul directly to an approved landfill. The City of Maryville utilizes its transfer station for the convenient at-cost disposal of street sweepings, brush/wood, and unsafe/dangerous structures. Porter Trash, LLC has proposed an offer to the City of Maryville to lock in rates until 2020 for five dollars (\$5.00) above cost disposal of street sweepings and ten dollars (\$10.00) above cost for unsafe/dangerous structures. Mr. Porter has also provided an offer to local haulers to utilize his facility and lock in rates until 2020. City staff has had several meetings/communications with Mr. Porter since then in an attempt to negotiate a twenty (20) year rate structure for the City and 10 year rate structure for local haulers. Beyond 2020, the proposed rates would increase by the Consumer Price Index (CPI) or a maximum of three percent (3%). The City has also requested that the Highway 136 Transfer Station provide a guaranteed brush/wood pile acceptance, similar to the City's operation.

The City of Maryville is currently under contract with Deffenbaugh Industries, Inc. by an ordinance approved July 23, 2012 for hauling solid waste from the City’s transfer station to an approved landfill. The initial contract term is from August 13, 2012 to August 12, 2016 with four (4) additional one (1) year renewal options. A written notice of 120 calendar days before the end of the current term is required to terminate the contract. Because the current term is the initial four years, the contract would continue until August 12, 2016 with a notice of cancellation required by April 14, 2016. The hauling contract also includes a charge equivalent to 20 tons per day regardless of whether the operation meets the volume. With the hauling contract firmly in place until the end of the current term, it does not appear practical to close the transfer station before this date. If the decision was made to proceed with a prolonged closure, local haulers would have an extended time period to make other arrangements. Once the facility is closed, the City of Maryville could look at selling or maintaining the existing assets of the facility.

The FY16 Budget includes a \$75,000 transfer subsidy from the General Fund to support the Solid Waste Fund. The Solid Waste Fund is reliant on this revenue and shows a total revenue and expenditure for FY16 in the amount of \$332,194. Budgeting for the Solid Waste Fund is challenging as revenue is dependent upon the amount of solid waste brought to the facility.

At the December 14, 2015 City Council meeting, a financial analysis was requested for each proposal based on current variables.

American Recycling & Sanitation, Inc.

Scenario 1

\$500 monthly rent x 12 months	= \$ 6,000
\$4 for each ton through facility (5,000 annual ton)	= \$20,000
250 tons for street sweepings @ \$40 per ton	= (\$10,000)
160 tons for CTRIP @ \$40 per ton	= <u>(\$ 6,400)</u>
Total	= \$ 9,600

Scenario 2

100 tons (250-150) for street sweepings @ \$40 per ton	= (\$4,000)
160 tons for CTRIP @ \$40 per ton	= (\$6,400)
\$4 for each ton through facility (5,000 annual ton)	= <u>\$20,000</u>
Total	= \$ 9,600

Maryville Trash Cooperative

\$100 monthly rent x 12 months	= \$1,200
250 tons for street sweepings @ \$0 per ton	= \$0
50 tons (160-110) for CTRIP @ \$45 per ton	= (\$2,250)
Total	= (\$1,050)

It was noted that any substantial change in rate and volume is expected to impact the above numbers. Neither proposal eliminates the thirty thousand dollars (\$30,000) annual testing fee for post-closure costs for the landfill.

If a bid were to be selected, the City would draft a proposed lease for the selected party to review. Once a lease is agreed to in form and executed, it will be placed on a City Council meeting for approval.

Staff requested Council give direction for the operation and maintenance of the Maryville Transfer Station by evaluating the options discussed over the past several weeks, which include:

- Should council decide to close the Maryville Transfer Station, it is recommended that a motion be made to “reject both bids submitted through the Request for Proposal process and for staff to proceed with closure of the Maryville Transfer Station at the end of the current hauling contract with Deffenbaugh Industries, Inc.”
- Should council decide to accept a bid, it is recommended that a motion be made to “accept the _____ bid as presented, contingent upon the successful negotiation of lease terms, and obtaining the proper insurance requirements.”
- Should council decide to remain status quo, it is recommended that a motion be made to “reject both bids submitted through the Request for Proposal process and for staff to continue operating the Maryville Transfer Station in an efficient and cost effective manner.”

Motion was by Councilman McDowell, seconded by Councilman Shipley, to accept the bid submitted by Maryville Trash Cooperative contingent upon agreement of lease terms and meeting all requirements within. Upon roll being called, the vote was as follows: Councilman Riggs, yea; Councilman Shipley, yea; Councilman McDowell; yea; Councilwoman Martin, nay; Mayor Riedel, nay. Motion carried.

City Manager McDanel stated that he will work with City Attorney Henry to write an agreement that will be reviewed and signed by the Maryville Trash Cooperative, before being brought to the City Council for approval.

AN ORDINANCE PROVIDING FOR GENERAL ELECTION OF ONE (1) CITY COUNCIL MEMBER, TO CITY OF MARYVILLE FOR THREE YEAR TERM

The City Clerk presented a bill, Bill No. 2016'03 for an ordinance entitled:

AN ORDINANCE PROVIDING FOR A GENERAL ELECTION TO BE HELD ON TUESDAY, APRIL 5, 2016, IN THE CITY OF MARYVILLE, MISSOURI, FOR THE PURPOSE OF ELECTING ONE (1) MEMBER OF THE CITY COUNCIL OF THE CITY OF MARYVILLE, MISSOURI, FOR A THREE (3) YEAR TERM; DIRECTING THE CITY CLERK TO MAKE DUE NOTICE OF SUCH ELECTION AS PRESCRIBED BY LAW, TO THE COUNTY CLERK OF NODAWAY COUNTY, MISSOURI.

Each year, a general election for the expiring position(s) of City Council is held the first Tuesday after the first Monday in April.

Any person interested in seeking election for a position on the City Council, is asked to file the proper documents with the City Clerk during the filing period. The filing period begins the 16th Tuesday before the election date (December 15, 2015) thru the 11th Tuesday prior to the election date (January 19, 2016). The City Clerk keeps a record of the names of the filers and the date and time of their filing. The candidate's names are to appear on the ballot in the order in which they have been filed.

An ordinance, listing the names of the filers, is then presented to the City Council for consideration of approval, requesting to hold a general election for one or two City Council Member(s), depending upon the number of positions expiring.

Upon approval of the ordinance, the City Clerk provides the necessary paperwork to the election official, the Nodaway County Clerk, prior to closing on the 10th Tuesday prior to Election Day (January 26, 2016). The notice must be in writing and shall specify that the City is calling the election, the purpose of the election, the date of the election, and it must also include a certified copy of the legal notice to be published and a sample ballot.

As soon as practical after each City election, the election authority shall convene a Verification Board to verify the count and certify the results of the election. Not later than the 2nd Tuesday after the election, the Verification Board shall issue a statement announcing the results of each election and shall certify the returns to the City Clerk.

The City Council position currently held by Councilwoman Renee Riedel is set to expire in April 2016. During the filing period the City received one (1) filing by incumbent candidate Renee Riedel.

Upon approval of the proposed ordinance, notice will be provided to the election official, Karen Leader, Nodaway County Clerk, requesting an election of one (1) City Council Member be placed on the ballot for the election.

The City's cost for the General Election is variable and dependent upon the number of entities having a question on the ballot.

Staff recommended approval of the proposed ordinance to provide for a general election of one (1) City Council position on April 5, 2016 and to provide the required notice of election to the Nodaway County Clerk.

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 provide for a general election of one (1) City Council position on April 5, 2016 and to provide the required notice of election to the Nodaway County Clerk.

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. 7822 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

AN ORDINANCE CALLING AN ELECTION IN THE CITY OF MARYVILLE, MISSOURI
(Extend ½ cent Mozingo Sales Tax and introduce 1/8 cent sales tax for proposed conference center at Mozingo)

The City Clerk presented a bill, Bill No. 2016'04 for an ordinance entitled:

AN ORDINANCE CALLING AN ELECTION IN THE CITY OF MARYVILLE, MISSOURI.

The proposed ordinance calls an election for two (2) questions on the April 5, 2016 ballot regarding Mozingo Lake Recreation Park.

Staff gave the public presentation and information to the City Council regarding these items. The presentation included draft results from a formal Economic Impact Study performed by EMSI which will be released to the City Council in final form at the February 8, 2016 City Council meeting.

The presentation for the questions proposed to be placed on the ballot included the following:

Question No. 1

“Shall the City of Maryville, Missouri be authorized to continue to impose a sales tax at a rate of one-half of one percent until December 31, 2037, unless extended by a vote of the people, for the purpose of providing funds for the improvement, operation, maintenance and expansion of recreational amenities at Mozingo Lake Recreation Park?”

In April 2006, Maryville voters approved a second ten (10) year extension to a one-half (1/2) cent sales tax for the operations, maintenance, and improvement of amenities at Mozingo Lake Recreation Park. The ½ cent sales tax commenced in 2007 and will expire on July 1, 2017 unless further extended by the vote of the people. The existing ½ cent sales tax generates approximately nine hundred fifty thousand dollars (\$950,000) a year of the nearly one million nine hundred thousand dollars (\$1,900,000) annual expenditures of the park. The remainder of revenue is generated by user fees from several amenities within the park. Sales tax revenue is critical for the ongoing maintenance and operation of the park. In years when user fee revenue exceeds expenses, funds can be utilized on capital improvement projects to improve the park. Sales tax funding and continued stewardship of these resources has provided Mozingo with fiscal stability and the ability to fund improvements associated with the Mozingo Lake Recreation Park Master Plan.

Renewal of the existing sales tax is crucial for the continued operation and maintenance of Mozingo Lake Recreation Park. Staff has analyzed the appropriate term for the sales tax renewal and discussed a proposal with the Mozingo Advisory Board on November 2 and 16, 2015. The proposal is to renew the existing one half (½) of one percent (1%) sales tax for a period of twenty (20) years to correspond to the twenty (20) year Mozingo Master Plan. Staff analyzed options for a permanent sales tax, however long-term community needs or Mozingo’s financial position could change significantly in the future. Staff also analyzed another ten (10) year renewal; however this appears risky when investing public funds in amenities that will require maintenance past the ten (10) year period.

An FY’16 adopted City Council goal is “Consider and Prepare Dialogue for Sales Tax Renewals or Other Ballot Initiatives. At the November 23, 2015 City Council meeting a unanimous motion was made to allow staff to proceed with preparing the question above for consideration. Approval of the proposed ordinance will place Question No. 1 on the April 5th ballot.

Question No. 2

“Shall the City of Maryville, Missouri be authorized to increase its local sales tax by one-eighth of one percent until December 31, 2036, unless extended by a vote of the people, for the purpose of providing funds to construct, improve, operate and maintain a conference center at Mozingo Lake Recreation Park?”

In late 2011, the City Council hired the IDM Group, LLC to perform a market study for the potential development of a lodging facility and conference center. The report indicated that the local market could support a 70-room select service lodging facility with event space located at a new golf course clubhouse offering a minimum of 5,500 net square feet of meeting space. IDM indicated that the facility would respond to the majority of market demand currently displaced by the lack of a quality facility and benefit from the destination and resort appeal of the park.

Upon the results of the Hotel Feasibility Study, the City Council made the development of a Hotel/Lodge and Conference Center a community priority. Staff began making significant economic development efforts to contact hotel firms and attend trade shows promoting the study development opportunity. In 2013, staff made contact with Boulders Inn & Suites after seeing a news story about a new hotel development near Des Moines, Iowa. After researching some of their locations, it became apparent that the company has proven success in smaller markets and has several properties adjacent to golf courses, including their original location in Denison, IA. The Denison, IA location also adjoins a Thirty thousand (30,000) square foot publically owned and operated Conference Center, the Boulders Conference Center (www.bookboulders.com). Upon review, the model facility fits the long-term vision of the Mozingo Lake Recreation Park Master Plan. The center includes meeting/banquet hall space for approximately five hundred (500) guests, offices, a centralized golf pro shop, restaurant space, indoor cart storage, and locker rooms. The facility not only hosts the traditional golfer, but is a prime destination for conferences and weddings. The hotel, Boulders Inn & Suites, is developed with a financing model that requires a significant portion of local equity. While the Boulders owners are investors and operate the hotel, the hotel is locally owned by a private group of investors under a Limited Liability Company. In May 2015, City staff and Nodaway County Economic Development (NCED) began identifying potential local investors for the project.

On August 7, 2015, the City of Maryville and Boulders Inn & Suites issued a joint press release announcing plans for the new hotel after a successful local equity drive. The Boulders Inn & Suites at Mozingo will be the company's eleven (11) location and will be designed as a forty (40) room facility with expansion capability to 80 rooms. The planned facility is well within the IDM study recommendation of a seventy (70) room facility and will be located adjacent to the Sechrest 18 and Watson 9. The hotel is one hundred percent (100%) privately financed and construction is estimated at three million two hundred thousand dollars (\$3,200,000) dollars.

In Denison, IA the Boulders Conference Center is publically owned and operated by the City of Denison. While the hotel and conference center work in conjunction with one another, they are independently operated and the conference center serves as a tourism hub for the community. The facility includes one (1) full-time Tourism Director/Conference Coordinator and various part-time cleaning staff. The restaurant space is leased out to a private restaurant with a certain portion of the alcohol sales and lease payments being a source of revenue for the City. The facility averages two hundred fifty (250) major events a year with twenty thousand dollars (\$20,000) annual guests generating additional rental revenue and has a total budget of approximately two hundred twenty thousand dollars (\$220,000) to two hundred fifty thousand dollars (\$250,000) per year. Similarly to a proposed location at Mozingo Lake Recreation Park, the Boulders Conference Center is not on a major highway and is located adjacent to a golf course. City staff has obtained the original construction plans for the facility in Denison to assist with planning/design efforts. It is estimated that a Mozingo Conference Center similar to the Denison facility would cost four million dollars (\$4,000,000).

After announcement of the Boulders Inn & Suites project, City staff approached the Mozingo Lake Recreation Park Advisory Board with the concept of pursuing a public conference center similar to Denison in conjunction with the Master Plan. The Advisory Board unanimously agreed that the Conference Center should be a top priority Mozingo. City staff subsequently took that recommendation and discussion to the City Council who reaffirmed their position that the project is a top goal as adopted by resolution. The adopted City Council goal is to "Pursue Hotel & Conference Center in Accordance with the Mozingo Lake Recreation Park 20 Year Master Plan." Discussion with both groups indicated that potential cost savings on design and construction might be realized if the project proceeds in conjunction with the privately owned Boulders Inn & Suites project.

The FY'16 Budget also included three hundred eighty thousand dollars (\$380,000) in the Mozingo Recreation Fund to begin design on the conference center. Typical engineering is estimated at ten percent (10%) of construction cost. With an estimated four million dollars (\$4,000,000) construction, design fees were estimated at four hundred thousand dollars (\$400,000); however after a Request for Qualifications process staff selected Wertzberger Architects P.C. who is also the architect on the private hotel project. A negotiated amount of two hundred thirty-one thousand five hundred dollars (\$231,500) was reached for design of the conference center. A Memorandum of Understanding with Boulders Inn Maryville, LLC is also nearing completion to potentially lower design fees to one hundred thirty-one thousand five hundred dollars (\$131,500) or a sixty-seven percent (67%) reduced design fee. A contract with Wertzberger Architects P.C. was approved on December 28, 2015 and the project is currently in design.

After significant analysis of various financing mechanisms for construction of the conference center, the Mozingo Advisory Board and City Council unanimously approved proceeding with a one eighth (1/8) of one percent (1%) sales tax supplemented with existing golf cart path debt to fund the facility. The option was noted as the least impact to citizens. A sales tax is paid for by all consumers within a community, unlike a property tax that is only paid by Maryville property owners.

An FY'16 adopted City Council goal is "Consider and Prepare Dialogue for Sales Tax Renewals or Other Ballot Initiatives. At the November 23, 2015 City Council meeting a unanimous motion was made to allow staff to proceed with preparing the question above for consideration. Approval of the proposed ordinance will place Question No. 2 on the April 5th ballot.

Gilmore & Bell has reviewed and approved the ordinance and questions as proposed. Attorneys at Gilmore & Bell and White Goss have also reviewed all information posted on the City's website, brochures, and flyers with regards to voter education on the proposed questions.

Staff recommended approval of the proposed ordinance to call an election in the City of Maryville to include two (2) questions related to 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 Riggs, to approve the proposed ordinance to call an election in the City of Maryville to include two (2) questions related to Mozingo Lake Recreation Park. Upon roll being called the vote was as follows: Councilman Riggs, yea; Councilman Shipley, yea; Councilman McDowell, yea; Councilman Shipley, yea; Councilwoman Martin, yea; Mayor Riedel, yea; Motion carried.

Said bill was then identified as Ordinance No. 7823 and was duly passed, adopted and was thereupon signed by the Mayor.

A RESOLUTION TO AUTHORIZE A LOT SPLIT FOR PROPERTY LOCATED 1406 E. FIRST STREET

The City Clerk presented a bill, Bill No. 2016'05 for a resolution entitled:

A RESOLUTION AUTHORIZING A LOT SPLIT OF PROPERTY LOCATED AT 3131 EAST FIRST STREET OWNED BY 3131 East 1st STREET, LLC, MARYVILLE, MISSOURI.

On January 19, 2016, staff received a lot split application from 3131 E. 1st Street, LLC. The proposed lot split would divide a commercial tract of sixty-three and 64/100 (63.64) acres into two (2) separate tracts. Tract 1 will be a thirty-seven and 51/100 (37.51) acre commercial area that would include the former Energizer Building and operations area and Tract 2 would encompass twenty-six and 13/100 (26.13) acres of agricultural land.

The purpose of the lot split is to separate surplus acreage that is currently being leased as agricultural land for potential sale.

In accordance with the Municipal Ordinance 410.060, a lot split need not be approved by the Planning and Zoning Commission, but shall be approved by resolution of the Council prior to recording. The code states "side lot lines shall be substantially at right angles to straight street lines or radial to curved street lines." Due to the nature of lot split lines they do not meet all of the code requirements. Staff suggested the exception be allowed at this location to allow as much agricultural land to be included in Tract 2 as possible. There are already lines in this area that do not meet that code requirement but also do not create any issues. Staff believes this should be allowed in this lot split also and do not foresee and issues it would create.

Staff has also checked with Nodaway County Economic Development Director, Josh McKim, who concurs that the lot split should proceed as proposed.

Staff recommended approval of the proposed resolution for sixty-three and 64/100 (63.64) acres to be separated into two tracts as presented.

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

Motion was made by Councilwoman Martin, seconded by Councilman Riggs, to approve the proposed resolution to authorize a lot split at 3131 East First Street. 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 Resolution No. 636 and was duly passed, adopted and was thereupon signed by the Mayor.

AN ORDINANCE ALLOWING THE 2015 SHOW ME GREEN SALES TAX HOLIDAY TO APPLY TO LOCAL SALES TAX

The City Clerk presented a bill, Bill No. 2016'06 for an ordinance entitled:

AN ORDINANCE ALLOWING THE "2016 SHOW ME GREEN SALES TAX HOLIDAY" TO APPLY TO THE LOCAL SALES TAXES OF THE CITY OF MARYVILLE, MISSOURI, BETWEEN APRIL 19 AND APRIL 25, 2016.

In 2008, the State of Missouri passed a bill to designate April 19, at 12:01 a.m. thru April 25, at 12:00, midnight, of each year, as the "Show Me Green Sales Tax Holiday" period, which allows consumers to purchase qualifying "Energy Star" appliances free of paying the State sales tax.

Missouri cities and counties were invited to participate in the tax free holiday event by offering the qualified purchases, free of city and/or county sales tax. The City of Maryville has participated in this event each year since its inception, in 2009. The Sales Tax Holiday allows the consumer to purchase qualifying "Energy Star" appliances paying no city sales tax for the designated period of time, from local merchants.

The purpose of this item is to clarify the City Council's intent in participation in the 2016 Show Me Green Sales Tax Holiday. By approving Council Bill 2016'06, a copy of the executed ordinance will be forwarded to the Missouri Department of Revenue to verify the City's intent to participate this year.

The Missouri Department of Revenue does not track the sales made during this period for the purpose of identifying the amount of sales tax revenue not collect, during the Sales Tax Holiday. It would be impossible for the city to identify this figure without the States documentation.

Staff recommended approval of the proposed ordinance to allow the 2016 Show Me Green Sales Tax Holiday to apply to the local sales tax of the City of Maryville April 19 thru April 25. Participation in the program provides a benefit to local businesses and citizens purchasing energy efficient items.

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 allow the 2016 Show Me Green Sales Tax Holiday to apply to the local sales tax of the City of Maryville April 19 thru April 25. 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. 7824 and was duly passed, adopted and was thereupon signed by the Mayor.

APPOINTMENT OF MEMBERS TO THE MARYVILLE PUBLIC ART COMMITTEE

In forming the Maryville Public Arts Advisory Committee, it was the purpose and intent of the City to promote and expand the opportunities for its citizens to experience public art and other projects resulting from the creative expression of visual arts in public places within the city. A policy was established to direct the inclusion of works of art in public spaces within the City of Maryville, Missouri.

The Maryville Public Arts Advisory Committee (MPAC) was structured to consist of seven (7) members.

The membership terms of Members Joyce Cronin, Melanie Smith, and Kathy Rice have expired. A notice was posted requesting anyone interested in being considered to serve as a member of the M-PAC board, submit an application to the City Clerk. No applications were received.

Members Cronin and Rice have expressed their desire to serve another three (3) year term, however Melanie Smith stated that she would not be able to serve another term on M-PAC. The search for someone to fill the vacancy will be publicized.

Motion was made by Councilwoman Martin, seconded by Councilman Riggs to re-appoint Members Cronin and Rice to the Maryville Public Art Committee for a three (3) year term. 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.

REPORTS

I. Student Senate Liaison

- *Appointment of Student Senate Liaison* – Due to the intent of Hannah Sears to run for the office of President of the NWMSU Student Senate, a new Student Senate Liaison will be selected earlier than usual this year.
- *Estimated Size of Bearcat* – The Zoology Department at Northwest Missouri State University, has calculated the size of the Bearcat according to the paw prints on West 4th Street. According to these calculations, the bearcat would have been thirteen and a half feet (13 ½’) tall and weighs over three hundred (300) pounds.

II. City Manager

- *Snow Removal* – The Street Maintenance Division of Public Works has completed several minimal snowfall removal events over the past two weeks. Overall totals from the three events measured just under four (4) inches of snow. The total cost to treat the emergency routes and known problem areas was just over ten thousand three hundred dollars (\$10,300). Staff continues to respond to complaints in problem areas; however is adhering to the three inch (3”) policy for budgeting and product purposes.
- *Water Maintenance Division of Public Works* – Over the past few weeks, the Water Maintenance Division of Public Works has been busy with numerous projects and calls for service. Some of those include; cutting out two (2) valves covered at Walnut & 11th Street and raising them, made a three quarter inch (¾ “) tap at Halsey & Depot, installed new two (2) inch meter at Pizza Ranch on Che Drive, tested for water leaks at Mulberry & Halsey and at Debbie Lane & Vista which resulted in repairs to a water line and fire hydrant, excavated air line for PeopleService at the Maryville Water Plant, assisted with snow removal, shut off several locations due to private water leaks, and performed meter reading and rereads.

- *Sewer Maintenance Division of Public Works* – Over the past few weeks, the Sewer Maintenance Division of Public Works has been busy with numerous projects and calls for service. Some of those include; performing repairs on the East Lift Station with PeopleService, excavated and installed emergency pumping connection at the Southwest Lift Station, inspecting main lines from a sewer back up on South Prairie, inspected sewer main from Edwards to Torrance, performed maintenance on the sewer camera, met with property owners on the lining project, and assisted with the reconnection of private sewer on North Walnut which was disconnected with the CTRIP demo of 517 W. Fifth Street.
- *Sanitary Sewer Inflow & Infiltration Reduction* – Visu-Sewer, Inc. has been hired by the City of Maryville to complete the 2015 Sanitary Sewer Main Lining and 2015 Sanitary Sewer Manhole Lining Projects. Both projects are targeted attempts to remove inflow and infiltration (I&I) of storm water into the sanitary sewer system. Excess I&I in the sewer system can increase the likely hood of backups during peak rain events and increase costs for mechanical treatment. Visu-Sewer is now onsite and has cleaned and inspected several locations for sewer main lining. Lining of these locations will begin within the next ten (10) to fourteen (14) days. The contractor anticipates the project will be complete by March 1, 2016, weather permitting. Once the sewer main lining is complete, Visu- Sewer will begin the lining and rehabilitation of manholes.
- *FEMA Generator Repair* – Federal Emergency Management Association (FEMA) has approved \$9,020 in funds for the repair of the generator at the Southwest Lift Station damaged in flooding last summer. Staff received the necessary paperwork on January 20, 2016 to allow for reimbursement on the project.
- *Voice Over IP* – In late 2015, the City approved a contract with United Fiber to install a Voice Over IP system to connect all city facilities and stream line phone service communications to the public. United Fiber has now notified us that 95% of the system equipment has been received and installation will begin soon. In order to connect the Street Department facility on Newton, a new fiber connection will be installed by United Fiber by February 1, 2016.
- *Employee Retirements* – The City of Maryville will be honoring the public service careers and retirement of two notable employees retiring on February 1, 2016. First, Maryville Parks & Recreation Director Rod Auxier will celebrate his retirement on January 28, 2016 from 2:30 pm to 5:00 pm at the Maryville Community Center in the large upstairs meeting room. Rod was hired as Parks & Recreation Director in 1986 and has been instrumental to the development of the local Maryville park system. Secondly, Utility Billing Clerk Cindie Hansen will be celebrating her retirement on January 29, 2016 from 2:00 pm to 4:00 pm in the City Council Chambers at City Hall. Cindie was hired as a PT meter reader in 1992, transitioned to full-time in 1997, and was promoted to her current position in 2002. Cindie’s personality and positive attitude will be missed at City Hall and she should be commended for her years of successful customer service.
- *Bird Hunters United at Mozingo Lake Recreation Park* - Bird Hunters United (BHU) will be holding the BHU National Field Dog Trials January 28-31 at Mozingo Lake Recreation Park. Events include open amateur events, flushing, pointing, youth and ladies events, and expert and puppy trials. Over one-hundred (100) dogs are expected along with hunters across the country. All events take place in the fields around the multi-purpose building and youth camp. This is the third consecutive year this event is being held at Mozingo and all family cabins are sold out for this event. For more information please refer to www.birdhuntersunited.com.
- *Mozingo Lake Recreation Park Operations Manager* – The City of Maryville is seeking an Operations Manager to join the professional staff at Mozingo Lake Recreation Park to fill the open position vacated by Erick Auxier. The position is a highly responsible administrative position in planning, developing, directing, supervising, and evaluating the activities and operations of the park. This position reports directly to the Assistant City Manager and is responsible for complex administrative decisions. The ideal candidate will have a Bachelor’s degree in Recreation, Business or Public Administration with at least three (3) years of progressively responsible administrative experience and two (2) years of supervisory experience. The annual salary range is \$49,504 - \$66,976 DOQ with fully funded retirement contributions, and health, dental, and life insurance benefits. For the full job description and to apply, visit www.maryville.org. Due to a high level of interest in the position, the application deadline has been extended to Friday, February 12, 2016 at 5:00 p.m.

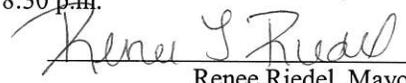
II. City Council

- *Greater Marvylle Chamber of Commerce Banquet Greater* - The Marvylle Chamber of Commerce Banquet will be held on Tuesday, January 26, 2016.

- *Speaking at Northwest Missouri State University* – Mayor Riedel announced she would be speaking to a Journalism Class regarding serving in politics in a small town, at NWMSU at 3:30 p.m. on Tuesday, February 9, 2016. Other members were invited to attend as well.
- *City Manager's Review*: A packet was provided to each Council Member requesting each member to evaluate the performance of the City Manager for the past year. A group review will be a part of the February 22, 2016 agenda, as an executive session.
- *Baseball Team Reunion* – A group of NWMSU baseball players who played from 1973-1978 reunited in Maryville and commented on the positive improvements of Maryville that have occurred since their departure. Among those present, was Hall of Famer Gary Gaetti.

ADJOURNMENT

Motion was then made by Councilwoman Martin, seconded by Councilman Riggs, to adjourn the meeting. Upon roll being called, the vote was as follows: Councilman Shipley, yea; Councilman McDowell, yea; Councilwoman Martin, yea; Councilman Riggs, yea; Mayor Riedel, yea. Motion carried. Meeting was adjourned at 8:30 p.m.



Renee Riedel, Mayor

ATTEST:



Sheila Smail, City Clerk