

Maryville City Council
Regular Scheduled Meeting
December 12, 2016
7:00 p.m.

The Council of the City of Maryville, Missouri, met in regular session on Monday, December 12, 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 Pro-Tem Martin and roll was called by the City Clerk, with the following present to-wit: Mayor Pro-Tem Rachael Martin, Council Members, Gerald Riggs; Timothy Shipley and Renee Riedel. Mayor Jason McDowell was not present. Others present were City Manager Greg McDanel, Asst., City Manager Ryan Heiland; City Attorney Taryn Henry; Dir., Public Works CE Goodall, Dir., Finance Denise Town; Human Resource Manager Amy Strough; Student Liaison Jacob Barnes and City Clerk Sheila Smail.

PLEDGE TO THE FLAG

The pledge to the flag was led by Mayor Pro-Tem Martin.

INVOCATION

Councilman Shipley gave the invocation.

APPROVAL OF THE AGENDA

Mayor Pro-Tem Martin requested any changes needed to the agenda, be noted at this time.

Motion was made by Councilman Riggs, seconded by Councilwoman Martin to approve the agenda as presented. Upon roll being called, the vote was as follows: Councilman Shipley, yea; Councilwoman Riedel, yea; Councilman Riggs, yea; Mayor Pro-Tem Martin, yea. Motion carried.

APPROVAL OF MINUTES

Mayor Pro-Tem Martin requested any changes to the minutes of the regularly scheduled City Council meetings held on October 10 and 24, 2016, be noted at this time. No changes were noted.

Motion was made by Councilman Shipley, seconded by Councilwoman Martin, that the minutes be approved as presented. Upon roll being called, the vote was as follows; Councilwoman Riedel, yea; Councilman Riggs, yea; Councilman Shipley, yea; Mayor Pro-Tem Martin, yea. Motion carried.

CITIZENS TO BE HEARD

Mayor Pro-Tem Martin 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.

LIQUOR LICENSE REQUEST FOR ENCRYPTION, 422 NORTH MAIN STREET

Ms. Deirdre Dino and Mr. Jeremy Baumli made application for a 5% Beer/Wine by the Drink license, for their business known as Encryption Entertainment, located at 422 North Main Street.

All required application paperwork has been submitted, background checks for eligibility have been completed and a life safety code inspection has been completed, satisfying all legal requirements for the issuance of this license. The pro-rated fee for a license through June 2017, has been collected.

Staff recommended approval of the requested 5% Beer/Wine by the Drink License for Encryption Entertainment, located at 422 North Main Street.

Motion was made by Councilman Riggs, seconded by Councilman Shipley, to approve the requested 5% Beer/Wine by the Drink Licenses for Encryption Entertainment, located at 422 North Main Street. Upon roll being called, the vote was as follows: Councilman Riggs, yea; Councilman Shipley, yea; Councilwoman Riedel, yea; Mayor Pro-Tem Martin, yea. Motion carried.

TREASURER'S REPORT

Dir., Finance Denise Town provided a report for the month of November 2016, the City received reoccurring funds from MoDOT for Spoofhound trail grant reimbursement requests (\$73,800.64); MoDOT for Airport Runway Grant reimbursement request (\$981,800); MoDOT for STAR Loan, Requests #9, #11, and #14 on airport project (\$149,126.38); Boulders Inns & Suites for conference center design (\$100,000); MIRMA for insurance reimbursement for waterline break on E. 1st Street (\$35,000).

Non-reoccurring disbursements for the month of October 2016 included payments to Allied Systems for Mozingo intake pump repairs (\$21,050); EZ Liner for striping machine for Street Department (\$51,648.18); Ideker Construction for airport runway pay app #5 (781,311.61); Jviation for airport runway engineering services (\$83,289.11); UMB Bank for transfer of October sales tax for Hy-Vee TIF (\$14,495.50).

Dir., Finance Town added that a couple of Certificates of Deposit had also matured during the month of November 2016.

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

PAYMENT VENDOR SCHEDULE

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

AN ORDINANCE TO EXECUTE A MAINTENANCE AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR A SLIP RAMP TO ROUTE 71

The City Clerk presented a bill, Bill No. 2016'116 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A MAINTENANCE AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR A SLIP RAMP TO ROUTE 71, MARYVILLE, MISSOURI.

On November 9, 2015, the City Council made a motion to accept negotiated terms with the Missouri Department of Transportation (MoDOT) regarding several items of maintenance, access, and development along South Main Street. MoDOT was then to create official documents to establish the following:

- 1.) City to permanently maintain and control all right-of-way on South Main from Route V to Highway 71 Bypass as shown on "*Exhibit A*" (*In Process*)
- 2.) MoDOT to provide necessary permits to Fountain Park per City's requirements (*Complete*)
- 3.) MoDOT to transfer three acres of excess right-of-way to City as shown "*Exhibit C*" (*In Process*)
- 4.) MoDOT to allow construction of the slip ramp from 285th Street to Highway 71 Bypass onramp per approved plans shown on "*Exhibit B*". (*Complete*)

The City Council executed a Break in Limited Access License with the Missouri Highways and Transportation Commission on October 24, 2016 to allow for the construction of the slip ramp from 285th Street to Highway 71 Bypass. The City of Maryville, Nodaway County Economic Development, and the Maryville Industrial Development Corporation have been working with Kawasaki Motors Manufacturing, Inc. on their long-term economic development plans and impact to the South Main corridor. Kawasaki desires to reroute their truck traffic south around 285th Street to the rear of the facility. The rerouting will benefit plant efficiency and increase safety by separating employee parking entrances from truck traffic. In order to accomplish this, Kawasaki has been working to design an upgrade along 285th Street from gravel to concrete. The improvement will begin slightly south of the employee entrance and head southwest to the west property line of Kawasaki. In addition, the City of Maryville and Kawasaki will benefit from a new southbound only slip ramp onto Route 71. The slip ramp will allow for all trucking and employees heading south to leave the facility and directly access Route 71 without congesting the existing intersection at South Main Street.

Kawasaki Motors Manufacturing, Inc. has agreed to fund one hundred percent of the improvements with the Maryville Industrial Development Corporation (MIDC) managing the construction contract. After construction and inspection, the City of Maryville will accept maintenance responsibility for the new roadway from Nodaway County and MoDOT.

The proposed Maintenance Agreement outlines responsibilities of the City and MoDOT for the slip ramp right-of-way. For effective snow removal and to ensure proper storm drainage, a section of the slip ramp is proposed as city maintained.

The Maintenance Agreement outlines the area in which the City will accept long-term maintenance of a portion of the slip ramp from 285th Street to Highway 71. The ramp will be built to City and MoDOT specifications to ensure a useful life of the improvement. Snow removal on the ramp will be incorporated into existing city routes and in conjunction with improved 285th Street.

Staff recommended approval of the proposed ordinance to execute a Maintenance Agreement with the Missouri Highways and Transportation Commission for slip ramp maintenance to Route 71. An improved 285th Street with direct access to Route 71 will improve efficiency and employee safety for Maryville's largest employer.

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 Councilman Riggs, seconded by Councilwoman Riedel, to execute a Maintenance Agreement with the Missouri Highways and Transportation Commission for slip ramp maintenance to Route 71. Upon roll being called the vote was as follows: Councilman Riggs, yea; Councilman Shipley, yea; Councilwoman Riedel, yea; Mayor Pro-Tem Martin, yea. Motion carried.

Said bill was then identified as Ordinance No. 7917 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. 2016-64.

AN ORDINANCE TO EXECUTE A ROAD RELINQUISHMENT AGREEMENT WITH MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION.

The City Clerk presented a bill, Bill No. 2016'117 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A ROAD RELINQUISHMENT AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR BUSINESS ROUTE 71 (SOUTH MAIN STREET), MARYVILLE, MISSOURI.

The proposed Road Relinquishment Agreement conveys control and maintenance of Business Route 71, also known as South Main Street, from Highway V to Route 71 Bypass to the City. Staff currently maintains Main Street from Highway V to the north city limits. Staff recommends acceptance of this section to ensure long-term economic development of the corridor and consistency of future roadway improvement projects. The area was included in the South Main Traffic Corridor Study which noted recommendations for access management and improvements. Currently, the area is solely regulated by MoDOT policy and guidelines.

The proposed Road Relinquishment Agreement also conveys control and maintenance of 285th Street from Business Route 71 (South Main Street) to the entrance of Kawasaki Motors Manufacturing, Inc. This small section has been problematic for employee traffic and congestion. In the past, the employer has proposed paying for several modifications and additional street lights for driver safety which have been denied through the MoDOT process. City control and maintenance along this stretch will provide for uniformity of maintenance and the ability to flexibly work with Kawasaki on future improvements.

The Road Relinquishment Agreement transfers permanent maintenance of Business Route 71 from Highway V to Highway 71 Bypass as well as a small section of 285th Street. The City will incur long-term

maintenance costs for this area; however MoDOT overlaid this section several years ago and it remains in good condition. The area is planned as the third and final phase of improvements to South Main Street in the South Main Traffic Corridor Study. Snow removal crews will incorporate these areas within existing routes.

Staff recommended approval of the proposed ordinance to execute a Road Relinquishment Agreement with the Missouri Highways and Transportation Commission for Business Route 71 from Highway V to Highway 71 Bypass and a small section of 285th Street. Both areas proposed are critical to the proper long-term development of the South Main corridor. In order to ensure alignment to the long-term plan, the right-of-way should be controlled by the municipality.

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 Councilman Riggs, seconded by Councilman Shipley, to execute a Road Relinquishment Agreement with the Missouri Highways and Transportation Commission for Business Route 71 from Highway V to Highway 71 Bypass and a small section of 285th Street. Upon roll being called the vote was as follows: Councilman Shipley, yea; Councilwoman Riedel, yea; Councilman Riggs, yea; Mayor Pro-Tem Martin, yea. Motion carried.

Said bill was then identified as Ordinance No. 7918 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. 2016-65.

AN ORDINANCE TO EXECUTE A CONTRACT WITH ALLIED SYSTEMS, INC. FOR THE PURCHASE AND INSTALLATION OF AN ELECTRICAL CONTROL PANEL FOR THE HIGHWAY 46 LIFT STATION

The City Clerk presented a bill, Bill No. 2016'118 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A CONTRACT WITH ALLIED SYSTEMS, INC., FOR THE PURCHASE AND INSTALLATION OF AN ELECTRICAL CONTROL PANEL FOR THE HIGHWAY 46 LIFT STATION, MARYVILLE, MISSOURI.

The Highway 46 Lift Station, located at the northeast corner of Highway 46 and Country Club, is a crucial part of the city's sanitary sewer collection system. The Fiscal Year 2017 (FY17) Budget included a request for funding to replace the electrical control panel at the Highway 46 Lift Station to improve its functionality.

The existing panel at the Highway 46 Lift Station is in poor condition and causes maintenance issues for staff. The unit has experienced several lighting strikes over the years causing electrical malfunctions. When the panel is not operating correctly, the unit can trip out the pumps causing the unit to back up.

Allied Systems, Inc. has provided a quote to replace the electrical control panel for an amount not-to-exceed ten thousand forty-one and 07/100 dollars (\$10,041.07). The four hundred eighty (480) Volt 3-Phase Duplex Control Panel will provide the Highway 46 Lift Station with the same panel as two other lift stations in the system creating consistency for staff with regards to maintenance and repairs.

The FY 2017 Budget includes twelve thousand dollars (\$12,000) in the Water Sewer Fund for an electrical panel upgrade at the Highway 46 Lift Station.

Staff recommended approval of the proposed ordinance to execute a contract with Allied Systems, Inc. for the purchase and installation of an electrical control panel for the Highway 46 Lift Station. Allied Systems, Inc. has installed the same panel at two other lift stations in the sanitary sewer system. Both panels have improved functionality of the units and increased consistency for sewer maintenance staff.

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 Councilman Shipley, seconded by Councilwoman Riedel, to execute a contract with Allied Systems, Inc. for the purchase and installation of an electrical control panel for the Highway 46 Lift Station. Upon roll being called the vote was as follows: Councilwoman Riedel, yea; Councilman Riggs, yea; Councilman Shipley, yea; Mayor Pro-Tem Martin, yea. Motion carried.

Said bill was then identified as Ordinance No. 7919 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. Upon its approval, the agreement was identified as Contract No. 2016-66.

AN ORDINANCE TO EXECUTE A CONTRACT WITH SHREVE TRUCK AND EQUIPMENT SALES FOR THE PURCHASE OF A 2007 STERLING ACTERRA DUMP TRUCK

The City Clerk presented a bill, Bill No. 2016'119 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A CONTRACT WITH SHREVE TRUCK AND EQUIPMENT SALES, FOR THE PURCHASE OF A 2007 STERLING ACTERRA DUMP TRUCK FOR THE PUBLIC WORKS DEPARTMENT, MARYVILLE, MISSOURI.

The FY'17 Budget included a request from the Public Works Department for the purchase of a used dump truck for daily use in the Water/Sewer Maintenance Division. In 2016, the City created a sanitary sewer maintenance crew consisting of 2-3 employees each day dependent on workload. The purchased of another dump truck will provide staff a dedicated unit to allow for proper maintenance and scheduling of projects.

Since adoption of the budget, staff has been searching for a quality used dump truck to fit the needs of the department. Shreve Truck and Equipment Sales in Barnsdall, Oklahoma has featured a 2007 Sterling Acterra Dump Truck for \$36,950.00. The unit has a new dump bed with a 10-speed transmission and C-7 diesel motor. The unit has one hundred ninety-three thousand (193,000) miles; however for a diesel unit it still has plenty of useful life for maintenance purposes. Staff visited the dealership last week, inspected the unit, and has verified that it is in good condition.

The FY 2017 Budget includes forty thousand dollars (\$40,000) in the Water/Sewer Fund for the purchase of a used dump truck for the Waster/Sewer Maintenance Division of Public Works.

Approve the proposed ordinance to execute a contract with Shreve Truck and Equipment Sales for the purchase of a used 2007 Sterling Acterra Dump Truck in an amount not-to-exceed thirty-six thousand nine hundred fifty thousand dollars (\$36,950). The unit will allow for the sanitary sewer maintenance crew to have a designated vehicle for repairs within the system. When needed, the truck will add to the existing fleet on larger projects for water or street maintenance.

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 Councilman Riggs, seconded by Councilwoman Riedel, to execute a contract with Shreve Truck and Equipment Sales for the purchase of a used 2007 Sterling Acterra Dump Truck in an amount not-to-exceed thirty-six thousand nine hundred fifty thousand dollars (\$36,950). Upon roll being called the vote was as follows: Councilman Riggs, yea; Councilman Shipley, yea; Councilwoman Riedel, yea; Mayor Pro-Tem Martin, yea. Motion carried.

Said bill was then identified as Ordinance No. 7920 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. Upon its approval, the agreement was identified as Contract No. 2015-67.

AN ORDINANCE AUTHORIZING THE DELIVERY OF CERTIFICATES OF PARTICIPATION, SERIES 2017 AND APPROVING CERTAIN OTHER DOCUMENTS

The City Clerk presented a bill, Bill No. 2016'120 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE DELIVERY OF THE CITY OF MARYVILLE, MISSOURI, CERTIFICATES OF PARTICIPATION, SERIES 2017, FOR THE PURPOSE OF PROVIDING FUNDS TO FINANCE PROJECTS FOR THE CITY; AND AUTHORIZING AND APPROVING CERTAIN DOCUMENTS IN CONNECTION WITH THE DELIVERY OF THE CERTIFICATES.

The City plans to issue Certificates of Participation (COPs) to finance the construction of a conference center at Mozingo Lake Recreation Park. This debt will be partially repaid from the new one-eighth (1/8) cent sales tax which was placed on the ballot and passed at the April 5, 2016 election and existing debt from the concrete golf cart paths. The total debt issuance will also include proceeds for the Water Meter Replacement Project and a portion of the capital projects and equipment described in the FY 2017 budgets of the General Fund, the Capital Improvement Fund and/or the Mozingo Lake Recreation Fund. By packaging these projects into one debt issue, the City anticipates a more competitive COPs sale.

In a competitive bid sale, the Issuer conducts all of the tasks necessary to offer bonds/certificates for sale including structuring the maturity schedule, preparing the official statement, verifying legal documents, obtaining a credit rating, and timing the sale. The public sale begins with the publication of an official notice of sale that describes the size, maturities, purpose, and structure of the proposed issue, along with instructions for submitting bids. Underwriters submit closed bids to the Issuer on the day and time designated in the official notice of sale. The certificates are awarded to the underwriter that has submitted the best price (i.e., the lowest true interest cost bid). Once the bid is awarded, pricing and major structural aspects of the certificates are locked in regardless of the success or failure of the underwriter to sell the certificates to investors.

Municipal credit ratings measure the Issuer’s risk of paying all interest and principal back to investors and helps investors distinguish the Issuer’s credit risk. Ratings have a significant effect on both the ability of the Issuer to raise funds and the price the Issuer will be required to pay.

Attorneys at Gilmore & Bell have worked with staff and Piper Jaffray to develop a preliminary official statement and the other required documents. A rating conference call with Standard & Poors was held on December 6, 2016, with the credit rating expected by December 13, 2016. The table below outlines the timetable for the debt issuance.

| DATE | EVENT |
|-------------------|--|
| November 17, 2016 | Distribute revised drafts of POS and Financing Documents |
| November 21, 2016 | Send POS and Credit Package to Standard & Poor’s |
| December 5, 2016 | Rating Agency call |
| December 12, 2016 | First reading of Issuance Ordinance |
| December 13, 2016 | Receive Certificates rating |
| January 9, 2017 | Sale (bid opening) (11:00 a.m. CDT) Council Meeting - Accept lowest and best bid for Certificates - Approve Final reading of Issuance Ordinance Prepare Final Official Statement |
| January 13, 2017 | Prepare and Distribute Closing Memorandum |
| January 19, 2017 | Certificates of Participation Closing |

Below is an overview of the documents for consideration:

The *trust indenture* is a legal contract between the city and the trustee that specifies the scope and the responsibilities of the city, the trustee, and the owners of the certificates, and the characteristics of the certificates, such as the maturity date, coupon rate and redemption terms.

The *base lease* sets forth the rental terms and conditions between the City and the Trustee, where the City leases the property to be encumbered to the Trustee in order to provide security for the financing of the projects.

The *lease agreement* sets forth the provisions for the annually renewable Lease with the trustee under which the City will acquire and construct the project and lease the project back from the trustee for an initial term ending September 30, 2017, with successive one-year renewal options exercisable by the City subject to annual budget appropriations. The failure of the City to renew the lease would result in the City losing possession and right to use the projects.

The *tax compliance agreement* between the City and the Trustee sets forth certain representations, facts, expectations, terms and conditions relating to the use and investment of the certificate proceeds in order to establish and maintain the exclusion of interest on the certificates from gross income for federal income tax purposes.

Jack Dillingham from Piper Jaffray will be present to provide the results of the sale at the January 9, 2017 city council meeting.

The estimated financing proceeds are seven million seven hundred fifty dollars (\$7,750,000) with the final amount to be determined based on bids at the sale in January. The project is split between the conference center, four million one hundred seventy thousand dollars (\$4,170,000), the water meter replacement project three million twenty thousand dollars (\$3,020,000) and various capital items five hundred sixty thousand dollars (\$560,000). The conference center portion of the project will result in annual debt service of approximately two hundred ninety thousand dollars (\$290,000) for twenty (20) years; the water meter project will result in annual debt service of approximately three hundred fifty thousand dollars (\$350,000) for ten (10) years; and the capital projects will incur annual debt service of approximately twenty-eight thousand dollars (\$28,000) for five (5) years. Over the life of the certificates, approximately two million two hundred seventy-five thousand five hundred fifty-five dollars (\$2,275,555) will be paid in interest and seven million seven hundred fifty thousand dollars (\$7,750,000) in principal.

Approve the proposed ordinance to authorize the delivery of Certificates of Participation (COPs), Series 2017, and to approve certain other documents in connection with the delivery of the certificates. The ordinance will issue seven million seven hundred fifty thousand dollars (\$7,750,000) of COP debt specifically for the Conference Center at Mozingo Lake Recreation Park, Water Meter Replacement Project, and various capital items. The combination of debt is anticipated to provide for a more competitive sale according to Piper Jaffray, the City's Financial Advisor. The City Council previously approved construction contracts for both the Conference Center at Mozingo Lake Recreation Park and Water Meter Replacement Project.

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.

A motion was made by Councilwoman Riedel, seconded by Councilman Riggs, to authorize the delivery of Certificates of Participation (COPs), Series 2017, and to approve certain other documents in connection with the delivery of the certificates for the issuance of seven million seven hundred fifty thousand dollars (\$7,750,000) of COP debt specifically for the Conference Center at Mozingo Lake Recreation Park, Water Meter Replacement Project, and various capital items.

The second reading will be held at the January 9, 2017 City Council Meeting prior to consideration of approval of the ordinance.

AN ORDINANCE TO EXECUTE A CONTRACT WITH I. KRUGER, INC. FOR THE PURCHASE AND INSTALLATION OF A PLC CONTROL PANEL FOR THE WATER TREATMENT PLANT

The City Clerk presented a bill, Bill No. 2016'121 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A CONTRACT WITH I. KRUGER, INC., FOR THE PURCHASE AND INSTALLATION OF A PLC CONTROL PANEL FOR THE WATER TREATMENT PLANT, MARYVILLE, MISSOURI.

The Kruger at the Water Treatment Plant play a critical role in the treatment of water for supplying the community. The Kruger process uses sand with the addition of the coagulant and polymer to form a floc and settle it out before proceeding to the membranes. The process assists the treatment process and extends the life of the membranes.

PeopleService, Inc. has been monitoring the condition of the programmable logic controller (PLC) on the Kruger for the last several weeks. A representative from Veolia was onsite in late November to evaluate the panel and performance of the Kruger. The representative noted that while it was operable, the PLC was rapidly declining in condition.

On Monday, December 5th, the PLC screen malfunctioned. PeopleService, Inc. and Veolia were able to get the PLC working again; however both indicated it was a temporary fix. If the PLC fails prior to replacement, staff will be required to perform significant additional monitoring of the water treatment process. Failure of the PLC will not halt the production of water, but will increase difficulty of ensuring accurate production.

A representative from Veolia provided a quote for PLC replacement in the amount of \$9,929.95. The existing PLC is over sixteen (16) years old and now obsolete. The new PLC will provide a significant upgrade over the prior technology. Staff considers this an emergency purchase to ensure the proper production of water.

In instances such as this, the City of Maryville Procurement Policy states in part:

Section 150.090.G.1: "... Proposals and competitive bid requirements may be waived, upon City Manager approval, if the items can only be acquired from a single firm, an inventory item protected by patents or proprietary interests, or if time is an element to be considered."

The FY'17 Budget includes \$20,000 in the Water Sewer Fund for water treatment maintenance.

Approve the proposed ordinance to execute a contract with I. Kruger, Inc. for the purchase and installation of a PLC Control Panel at the Water Treatment Plant. The existing control panel has failed and an emergency replacement is recommended. The PLC ensures longevity of the membranes and the proper production of water at the treatment plant.

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 Riedel, seconded by Councilman Riggs, to execute a contract with I. Kruger, Inc. for the purchase and installation of a PLC Control Panel at the Water Treatment Plant. Upon roll being called the vote was as follows: Councilman Shipley, yea; Councilwoman Riedel, yea; Councilman Riggs, yea; Mayor Pro-Tem Martin, yea. Motion carried.

Said bill was then identified as Ordinance No. 7921 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. Upon its approval, the agreement was identified as Contract No. 2016-68.

AN ORDINANCE TO EXECUTE A CONTRACT WITH NORRIS QUARRIES GOODEN FOR MATERIALS AND HAULING SERVICES FOR SHORELINE STABILIZATION AT MOZINGO LAKE RECREATION PARK

The City Clerk presented a bill, Bill No. 2016'122 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE TO EXECUTE A CONTRACT WITH NORRIS QUARRIES GOODEN FOR MATERIALS AND HAULING SERVICES FOR SHORELINE STABILIZATION AT MOZINGO LAKE RECREATION PARK, MARYVILLE, MISSOURI.

The FY'17 Budget includes a total of one hundred thousand dollars (\$100,000) for shoreline stabilization efforts at Mozingo Lake Recreation Park. Of this total, seventy-five thousand dollars (\$75,000) is included from the Water Sewer Fund to focus on areas near the water intake, and thirty thousand dollars (\$30,000) is included in the Mozingo Recreation Fund for other areas.

Staff requested approval for a “not to exceed” amount of seventy-five thousand dollars (\$75,000) to be used for the purchase of rip rap material and hauling services. Weather conditions in the cooler months are favorable for the installation of rip rap along the shoreline as the water level is reduced and the shoreline grounds are generally dry providing for improved equipment access.

Staff requested quotes and proposals from five (5) quarries. Out of the quarries contacted, only two (2) provided a quote. The quotes obtained are as follows:

| Company | Unit/Measure | Rip Rap Specs | Unit Price | Delivery Price | Total Cost/Ton |
|------------------|---------------------|----------------------|-------------------|-----------------------|-----------------------|
| Norris Quarries | Ton | 3” to 10” | \$16.00 | \$7.50 | \$23.50 |
| | | 6” to 28” | \$16.75 | \$7.50 | \$24.25 |
| Trager Limestone | Ton | 3” to 10” | \$13.00 | \$17.50 | \$30.50 |
| | | 6” to 28” | \$13.00 | \$17.50 | \$30.50 |

Staff requested two (2) different sizes of rip rap for this project. The largest specified rock type will be used to create the base of the rip rap barrier and smaller sizes are used to fill the gaps in order to create a rock barrier between the water and shoreline.

Staff estimates that proceeding with the purchase of seventy-five thousand dollars (\$75,000) for rip rap efforts near the water intake will provide for approximately three thousand (3,000) tons of material. Norris Quarries Gooden has agreed to deliver ordered quantities on an “as needed” basis to reduce onsite storage of material until the seventy-five thousand dollars (\$75,000) total is met.

Additionally, the City has secured a substantial amount of concrete from the Runway 14/32 Rehabilitation Project at Northwest Missouri Regional Airport. This material has been broken up into rip rap size pieces at no cost. Staff will haul this material to Mozingo for use as base layer when appropriate.

Staff recommended approval of the proposed ordinance to execute a contract with Norris Quarries Gooden for material and hauling services for shoreline stabilization at Mozingo Lake Recreation Park in an amount not to exceed seventy-five thousand dollars (\$75,000).

Staff will begin placement of rip rap along the shoreline primarily in the area of the water intake and other strategic locations. Previous shoreline stabilization efforts have made significant progress along the shoreline from “the Point” to an area just north of the City boat ramp. Staff anticipates the need to continue shoreline stabilization efforts in future budgets to protect the banks of the lake and protect water quality.

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 Riedel, seconded by Councilman Shipley, to execute a contract with Norris Quarries Gooden for material and hauling services for shoreline stabilization at Mozingo Lake Recreation Park in an amount not to exceed seventy-five thousand dollars (\$75,000). Upon roll being called the vote was as follows: Councilwoman Riedel, yea; Councilman Riggs, yea; Councilman Shipley, yea; Mayor Pro-Tem Martin, yea. Motion carried.

Said bill was then identified as Ordinance No. 7922 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk. Upon its approval, the agreement was identified as Contract No. 2015-69.

DISCUSSION: SECOND CITY COUNCIL MEETING OF DECEMBER

The next regularly scheduled City Council Meeting falls on Monday, December 26, 2016, which is also considered as a Christmas Holiday. Council Members were asked if they would be available to meet on Wednesday, December 28, 2016, at 7:00 p.m.

Council Members agreed to postpone the second meeting in December 2016 to Wednesday, December 28, 2016, at 7:00 p.m.

REPORTS

I. Student Liaison to Council

- Northwest Liaison Jacob Barnes wished everyone “Happy Holidays”.

II. City Manager

- Staff has approved a Campus Town Redevelopment Incentive Program (CTRIP) application from property owner Ron Spire for 718 North Mulberry Street. The property owner desired to remove a substandard structure and redevelop housing on the lot. The structure was tagged by Code Enforcement as a substandard when Mr. Spire purchased the property with the intent to utilize the program. The dilapidated residential structure was listed as a top priority for removal by city staff over the last several years. A demolition permit was pulled and the structure was removed on November 23, 2016. The property owner intends to submit plans for residential redevelopment of the lot in the spring.
- **Public Works Department Furnace** – The FY 2017 Budget included four thousand one hundred dollars (\$4,100) to replace the furnace in the basement of City Hall for the Public Works Department. After receiving several quotes, J & L Heating & Cooling was selected to complete the replacement for two thousand seven hundred dollars (\$2,700). The project was complete December 2nd and the new unit is now operational.
- **124 West 3rd Street Repair** – On November 2, 2016, staff received a citizen complaint regarding the condition of the west wall of 124 W. 3rd Street. The building was inspected, tagged as unsafe/dangerous, and evacuated the same day by Code Enforcement. The adjacent block of Buchanan was also closed due to the unsafe condition of the exterior wall. On November 3, 2016, Snyder & Associates examined the building and recommended bracing to remove a portion of the wall for further evaluation. Over the next week, a portion of the exterior wall was removed and it was determined that an interior wall failed applying pressure to the exterior wall. Shuck-Briston Consulting Engineers were contacted to provide further building evaluation. On November 24, the engineer provided an assessment report and repair drawings. The contractor installed shoring per engineers request by December 1st. The property owner remains compliant; however the contractor is waiting on a revised drawing from the engineer for a problem observed in the basement. The basement repair will take 7-10 days and must be complete prior to further removal of the damaged wall. Work continues on the interior and staff is inspecting on a routine basis for repair in a timely fashion. Should the building not be repaired to satisfaction, the City reserves emergency repair rights outlined in the municipal code.
- **Nodaway County Gravel Sales Tax** – City staff met with Nodaway County Commissioners on November 30, 2016 to discuss the County’s one half (½) cent gravel tax in relation to the Maryville Town Center (Hy-Vee) Tax Increment Financing (TIF). Section 99.845 of the Missouri State Statutes allows cities to recoup a portion of local sales taxes imposed on retail sales within redevelopment areas in order to pay off the TIF debt. HB 1504 exempts these revenues from being used without the consent of the County; however the election occurred prior to HB 1504’s commencement date of August 28, 2014. As a positive gesture, staff agreed to correct the issue moving forward as of January 1, 2017 instead of making it retroactive. The portion of revenue captured is approximately thirty thousand

dollars (\$30,000) annually and will be used to repay TIF debt and place the development back on the active tax rolls. At a meeting on December 9, 2016, the Nodaway County Commissioners challenged the statute and are currently doing their due diligence on the matter through Nodaway County Attorney Robert Rice.

- ***FY'16 Audit*** – Hochschild, Bloom & Company, LLP was in Maryville the week of December 5, 2016 to perform an audit of the City's finances for the 2016 fiscal year. During 'audit week' staff actively provides the firm with financial data and answers to interview questions regarding policies and procedures. The preliminary report is that the audit went well with several minor comments to continue improving policy/procedure manuals and systems accountability. A draft management letter will be provided to staff for discussion and then a final presentation will be presented to the City Council in February. A special thanks to Denise Town, Finance Director, and staff for ensuring a smooth audit process and their continued commitment toward fiscal responsibility.
- ***Dry Fire Hydrant at Mozingo Lake Recreation Park*** – The Fire Division of Maryville Public Safety recently worked with the Water Maintenance Division of Public Works to install a dry fire hydrant near the City Boat Ramp at Mozingo Lake Recreation Park. The hydrant allows the Fire Division to connect a suction hose directly from the hydrant to a pumper truck in order to draft water from Mozingo Lake or fill water tanker trucks. The hydrant increases the options for fire service to Mozingo Lake Recreation Park and properties on the east side of Polk Township Rural Fire Protection District and on the west side of the Jackson Township Fire Protection District.
- ***"Maryville Passport" Promotion*** - Maryville Parks & Recreation and Mozingo Lake Recreation Park are actively promoting the "Maryville Passport" for purchase. The passport provides unlimited family use of the Maryville Community Center, Maryville Aquatic Center, and golf courses (w/cart) at Mozingo Lake Recreation Park. The Maryville Passport is available per household for a cost of one hundred fifty-six dollars (\$156) per month or one thousand eight hundred sixty dollars (\$1,860) annually. If a monthly auto draft for payment is selected, the price is reduced to one hundred fourteen dollars (\$114) per month or one thousand three hundred fifty-six dollars (\$1,356) annually. A household qualifies for unlimited use up to five (5) persons. Additional family members can be added for an additional fee.
- ***Runway 14/32 Rehabilitation Project at Northwest Missouri Regional Airport*** - Ideker, Inc. has substantially completed the Runway 14/32 Rehabilitation Project and the airport is now open for normal operations. Minor items still remain to be completed when warmer temperatures return which include final site grading, seeding, and the final paint for runway markings. Staff has talked to several pilots who have used the runway since opening and all have been impressed with the runway quality. As an added benefit, the City was able to secure approximately 2,500 tons of gravel which was split between the Water-Sewer and Streets Divisions of Public Works, and Mozingo Lake Recreation Park. Mozingo has already used the gravel on several parking lots on the lake's west side which had been in poor condition for several years. The Public Works Department has stockpiled their gravel for use in future projects. A large amount of concrete has also been broken by Ideker, Inc. into rip rap size pieces, to be hauled to Mozingo later this winter for additional shoreline stabilization.
- ***Northwest Missouri Regional Airport Website*** - Staff has begun working with Hue Labs on the development of an informational website for the Northwest Missouri Regional Airport. Hue Labs is the same company that developed the Mozingo Lake Recreation Park website. The airport website will provide general pilot information such as weather, fuel prices and flight planning. The website will also provide general information about facility rental and community information, such as restaurants and hotels. As in the case of Mozingo, the website will provide an excellent marketing tool for both the airport and the community overall. Northwest Missouri Regional Airport has not had a featured website in the past.

- **Winter Projects at Mozingo Lake Recreation Park** - With the change of weather, staff has begun working on off-season projects at Mozingo Lake Recreation Park. To date, staff has repaired the deck on Cabin #4 and installed holiday lighting on all cabins, shelters, and a light tree display at the “Point”. The final phase of the irrigation upgrade for the golf courses has also begun as well as the final phase of upgrades to picnic tables. The picnic table upgrade project was started two (2) years ago and each year the staff has replaced a one-third (1/3) of the picnic tables. Following this final phase, all of the broken or poorly conditioned tables will have been replaced throughout the entire park. After the first of the year, staff will begin general cabin repairs and equipment maintenance will continue throughout the off-season. Staff has also assisted with the Conference Center project by installing a substantial amount of silt and safety fencing around the project site.
- **Watson 9 at Mozingo Lake Recreation Park** - This item is a correction to a previous City Manager report item. At the November 14, 2016, Council meeting, it was reported that the Watson 9 at Mozingo Lake Recreation Park hosted four hundred fifty (450) rounds this past season. The number of rounds reported represents only the Junior Golf Program camp. The total number of rounds played on the Watson 9 this past season is two thousand eight hundred forty-five (2,845).
- **Conference Center at Mozingo Lake Recreation Park** – On November 21, 2016, E.L. Crawford Construction Inc., began construction on the Conference Center at Mozingo Lake Recreation Park. The City Council approved the construction contract with a change order deduct for four million five hundred seventy thousand one hundred fourteen dollars (\$4,570,114) on November 9, 2016. Over the last few weeks, the contractor made significant progress and has completed dirt work on the twenty-six thousand (26,000) square foot facility. On Monday, December 12, 2016 the contractor will begin pouring footings for the building dependent upon weather.

III. Council

- The filing period for two (2) positions on the Maryville City Council will begin Tuesday, December 13, 2016, at 8:00 a.m.
- The Farm/City Banquet will be held by the Chamber of Commerce on January 30, 2017, at the Maryville Country Club.
- The Second Annual Christmas Parade, held Friday, December 9, 2016, was well attended.

ADJOURNMENT

Motion was made by Councilman Shipley seconded by Councilman Riggs, that the meeting be adjourned. Upon the roll being called, the vote was as follows: Councilman Riggs, yea; Councilman Shipley, yea, Councilwoman Riedel, yea; Mayor Pro-Tem Martin, yea. Motion carried. Meeting was adjourned at 7:45 p.m.

ATTEST:

Rachael Martin, Mayor Pro-Tem

Sheila Smail, City Clerk