

**Maryville City Council**  
**Regular Scheduled Meeting**  
**September 10, 2012**  
**7:00 p.m.**

The Council of the City of Maryville, Missouri, met in regular session on Monday, September 10, 2012, 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 Jonagan and roll was called by the City Clerk, with the following present to-wit: Mayor Glenn Jonagan, Council Members Ronnie Moss, James Fall, Renee Riedel and Jeff Funston. Others present were City Manager Greg McDanel; Asst., City Manager Ryan Heiland; City Attorney Doug Thomson; Dir., Finance Denise Town; Dir., Public Safety Keith Wood; NWMSU Senate/Council Liaison Cody Uhing; and City Clerk Sheila Smail.

**PLEDGE TO THE FLAG**

Mayor Jonagan led the pledge to the flag.

**INVOCATION**

Councilman Moss gave the invocation.

**APPROVAL OF THE AGENDA**

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

Motion was made by Councilman Fall, seconded by Councilman Funston, that the agenda be approved as presented. Upon roll being called, the vote was as follows: Councilwoman Riedel, yea; Councilman Funston, yea; Councilman Moss, yea; Councilman Fall, yea; Mayor Jonagan, yea. Motion carried.

**APPROVAL OF MINUTES**

Mayor Jonagan requested any changes needed to the minutes of Council meetings held August 13, and 27, 2012, be noted at this time. Under "Approval of Agenda", it was noted that the first sentence should read "Mayor Jonagan" rather than "Mayor Moss".

Motion was made by Councilman Fall, seconded by Councilman Funston, that the minutes be approved as amended. Upon roll being called, the vote was as follows: Councilman Funston, yea; Councilman Moss, yea; Councilman Fall, yea; Councilwoman Riedel, yea; Mayor Jonagan, yea. Motion carried.

**CITIZENS TO BE HEARD**

Mayor Jonagan 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 come forward and state their name and address for the record. No persons appeared to be heard.

**REQUEST OF EXPANSION OF LOCATION AND HOURS FOR SALE OF DOLLAR DOGS**

Approximately one (1) year ago, Luke Herzberg and Michael Webster, Dollar Dogs, made application with the City for solicitor permits to become hotdog vendors during the evening bar hours. All associated paperwork and fees were submitted and Criminal Background Checks were performed and approved by Council.

In January 2012, Luke Herzberg again made application as a sole proprietor. Mr. Herzberg recently visited my office requesting to request expanding his sales opportunities by going uptown during the lunch hours. Mr. Herzberg also requested permission to expand his menu by adding a second option of pulled pork sandwiches. Food preparation and sales would be done from his new mobile unit, which is in the process of being inspected by the Nodaway County Health Department. A copy of the approved inspection work order will be provided to the City as it becomes available.

Motion was made by Councilman Moss, seconded by Councilwoman Riedel, to approve the requested extension of location, time and menu as presented. Upon roll being called the vote was as follows: Councilman Moss, yea; Councilman Fall, yea; Councilwoman Riedel, yea; Councilman Funston, yea; Mayor Jonagan, yea. Motion carried.

**MARYVILLE PUBLIC ARTS COALITION**

The Maryville Public Arts Coalition (MPAC) was present to request continued support for public art in the City of Maryville's Fiscal Year 2012-2013 budget. On June 13, 2011 the City Council authorized staff to contract with artist Dustin Koopman, an artist recommended by MPAC, to provide the art that remains on the nodes around the square. The original contract was to end in September 2012 but has been extended to April 2013.

The Campaign for Community Renewal (CCR) disbanded after the completion of the Downtown Streetscape Project in August of 2011, but MPAC continues to meet and the need to find new artists and art work for the downtown nodes

remains. In addition to the role the group played in indentifying Mr. Koopman. MPAC were behind the hosted “Window Wonderland” in 2010 and 2011. This well-received program put amateur art in the windows of downtown businesses during the holiday season.

The desire to continue the tradition of public art on the nodes downtown continues. The MPAC proposed a continuing role for the group, namely assisting the city in selecting appropriate artists and art work to be installed in the downtown. MPAC presented and recommended a Request for Proposals (RFP). MPAC asked the city to allocate \$3,750 for purpose of supporting public art to the FY 2013 budget. This amount would be paid to vendors or artists by City of Maryville directly.

Motion was made by Councilman Funston, seconded by Councilman Fall, to consider in the 2012-2013 Fiscal Year Budget to allocate \$3,750. Upon roll being called the vote was as follows: Councilman Fall, yea; Councilwoman Riedel, yea; Councilman Funston, yea; Councilman Moss, yea; Mayor Jonagan, yea. Motion carried.

#### **REQUEST OF SUPPORT BY NWMO ENTERPRISE FACILITATION**

Jim Jacoby, Chairman, of the NW MO Enterprise Facilitation Board, was present to share with the Council the accomplishments made in the past year through Northwest Missouri Enterprise Facilitation, in assisting persons in beginning a new business or a business that might be struggling to improve their business’s vitality. NW MO Enterprise Facilitation requested the City consider in the preparation of their Fiscal Year Budget for 2012-2013, financial support of one thousand, five hundred dollars (\$1,500).

Motion was made by Councilman Funston, seconded by Councilman Fall, to consider in the 2012-2013 Fiscal Year Budget the request made by NW MO Enterprise Facilitation. Upon roll being called the vote was as follows: Councilwoman Riedel, yea; Councilman Funston, yea; Councilman Moss, yea; Councilman Fall, yea; Mayor Jonagan, yea. Motion carried.

#### **EMPLOYEES OF 2nd QUARTER-2012, ERIC LANCE, WATER/SEWER MAINT. SUPERINTENDENT**

Mayor Jonagan announced that Eric Lance, Water/Sewer Maintenance Superintendent, was selected as the City Employee of the Second Quarter of 2012. Eric began working in the Water & Sewer Maintenance Department as a laborer in September 1994. In 1996 he was promoted to an equipment operator and in 2000 he was promoted to lead man. He was promoted to the position he now holds in May 2002.

Eric was nominated for his dedication to the city and his impressive work ethic. He is on call 24/7 to serve the needs of Maryville’s citizens in the case of a water main break or sewer back-up. He often goes above and beyond the call of duty for our citizens to ensure the water keeps flowing. He always has a smile on his face and a pleasant attitude towards citizens and his co-workers. Even though his working conditions aren’t always in the best situations, he does his best to do the job right and efficiently and often with no complaint. He is the type of dedicated and responsible employee that the City is proud to have on staff.

#### **TREASURER’S REPORT**

Non-recurring funds received during the month of September 2012, were from the Quarterly 911 tax distribution, (\$31607.12).

Non-recurring bills to be paid included a payment to HDR Engineering for the Wastewater Treatment Plant (\$114,070.93); Keller Construction, for asphalt overlay project (\$55,200.00); Madget Demolition, for the demolition and removal three houses owned by Tom Hooker (\$26,420.00; MO DNR for annual water and sewer primacy fees (\$18,590.01); Nodayway Contracting for Route V/Peach Creek work (\$20,300.00); and Hunt Brothers, for remodeling of the 2<sup>nd</sup> floor of City Hall administration offices (\$28,499.00).

Motion was made by Councilman Fall, seconded by Councilwoman Riedel, to approve the Treasurer’s Report as presented. Upon the roll being called, the vote was as follows: Councilman Funston, yea; Councilman Moss, yea; Councilman Fall, yea; Councilwoman Riedel, yea; Mayor Jonagan, yea. Motion carried.

#### **PAYMENT VENDOR SCHEDULE**

Motion was made by Councilman Fall, seconded by Councilwoman Riedel, to approve the payment of bills, as presented. Upon the roll being called, the vote was as follows: Councilman Moss, yea; Councilman Fall, yea; Councilwoman Riedel, yea; Councilman Funston, yea; Mayor Jonagan, yea. Motion carried.

#### **MEMBERSHIP RENEWAL TO NW MO REGIONAL COUNCIL OF GOVERNMENT**

The City Clerk presented a bill, Bill No. 2012’85 for an ordinance entitled:

**An Ordinance Authorizing the Mayor of the City of Maryville, Missouri, to Execute a Contract for Membership and Services with Northwest Missouri Regional Council of Governments**

Northwest Regional Council of Governments provides technical assistance programs, coordination programs, inquiry service and data mining, and other services on a contractual basis. The City of Maryville maintains a strong relationship with NWMORCOG staff on numerous community issues and grant related opportunities.

Membership fees are calculated on a population based assessment at \$4,190.20, for Fiscal Year 2012-2013. Staff recommended approval of the renewal of membership and authorization of assessment payment to Northwest Regional Council of Governments for the upcoming year.

Upon motion duly made and seconded, 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 24 hours prior to the meeting, and was duly passed by unanimous vote.

Upon motion duly made and seconded, 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 24 hours prior to the meeting, and was duly passed by unanimous vote.

Motion was made by Councilwoman Riedel, seconded by Councilman Moss, to approve Council Bill No. 2012'85, to renewal of membership and authorization of assessment payment to Northwest Regional Council of Governments. Upon roll being called the vote was as follows: Councilman Fall, yea; Councilwoman Riedel, yea; Councilman Funston, yea; Councilman Moss, yea; Mayor Jonagan, yea. Motion carried.

Said bill was then numbered Ordinance No. 7458 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, identifying the agreement as Contract No. 2012-45

**CONTRACT OF OBLIGATION, FINANCIAL ASSURANCE INSTRUMENT, WITH MDNR**

The City Clerk presented a bill, Bill No. 2012'86 for an ordinance entitled:

**An Ordinance Authorizing the Execution of a Contract of Obligation with the Missouri Department of Natural Resources**

The Missouri Department of Natural Resources (MDNR) issues permits to operate sanitary landfills, which are governed by the Code of State Regulations. These laws require the City to submit a financial assurance instrument (FAI) for post-closure costs to ensure compliance with these regulations. Municipalities may satisfy the requirements by signing a contract of obligation for the full amount of the approved 30 year post-closure care cost estimates and passing a financial test comprised of various ratios and information. This contract allows MDNR to collect the required amount from any funds being disbursed by Missouri to the City to cover the post-closure care costs should the City be in non-compliance with the State. MDNR reviews the FAI annually to update it for inflation and requires it be adjusted to reflect the present value of the requirement. The new FAI amount for the City of Maryville is \$1,937,572. Staff recommended approving the Financial Assurance Instrument, as presented.

Upon motion duly made and seconded, 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 24 hours prior to the meeting, and was duly passed by unanimous vote.

Upon motion duly made and seconded, 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 24 hours prior to the meeting, and was duly passed by unanimous vote.

Motion was made by Councilman Fall, seconded by Councilman Funston, to approve the Council Bill No. 2012'86, the Financial Assurance Instrument with Missouri Department of Natural Resources. Upon roll being called the vote was as follows: Councilwoman Riedel, yea; Councilman Funston, yea; Councilman Moss, yea; Councilman Fall, yea; Mayor Jonagan, yea. Motion carried.

Said bill was then numbered Ordinance No. 7459 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk, and identified the agreement as Contract No. 2012-46.

**DISCUSSION: COMMUNITY GATEWAY SIGN-PRELIMINARY DESIGN**

The City of Maryville lacks a community gateway sign at the south entrance to the city. The former "Welcome to Maryville" sign located along Main Street near Highway V, was destroyed in the August

2011 hail storm. As a result of growth, the community entrance has also shifted over time to the intersection of South Main Street and Business Highway 71. Improving entrances to Maryville has been a common thread among past community surveys and recent comprehensive planning efforts.

The City has hired Williams Spurgeon Kuhl & Freshnock Architects, Inc. of North Kansas City, Missouri to provide conceptual sign or monument designs for the Maryville community, at a not-to-exceed figure of \$9,000 for design services. Once a design is approved by Council the consultant will be responsible for assisting in the development of construction documents and ensuring the accuracy of construction according to design specifications.

The consultant had provided city staff with three (3) preliminary sketches for an entryway monument. City Council Members were asked to provide input on the sketches, direction of design, and discuss additional outside involvement in the selection process.

## **REPORTS**

### **I. Liaison to Council**

- Talk has begun at the NW Senate meetings regarding the proposed change to the age to enter into the bars in Maryville. Currently, it is 19 years old.

### **II. City Manager**

- *Water Main Replacement Project, Phase I* – The City of Maryville has released Addendum No. 1 to the Water Main Replacement Project, Phase I, clarifying details of the project and extending the bid period. Staff is seeking qualifications and proposals from interested firms for a design-build project to install a new water main from the Maryville Water Treatment Plant, west to Depot Street. The project also includes an alternate design-build request for a new water line from Highway 136 north along Depot Street to an existing 12” water main. Sealed proposals will be accepted until Thursday, September 20th at 1:00 p.m.
- *The PUB Reconstruction* – The reconstruction project of the PUB is progressing and all floor joists at the basement stairway have been installed. The contractor has finished masonry at the dividing wall and has moved to constructing masonry piers just west of the dividing wall.
- *Bar Admittance, 19 vs. 21 Discussions* – Public Safety has completed a draft report regarding research of practices in other “college towns” on bars and age of admittance. Sgt. Ferris was tasked with this and has compiled a very detailed and enlightening report. The draft report is under review and will be completed soon along with a plan for presentation. One of the results of this effort is a re-connect of participation in the NW Substance Abuse Task Force (SATF). This university / community “team” was active several years ago but had fallen inactive in recent years. The Department will be in attendance 9-12 for the 1st new SATF meeting.
- *Automated License Plate Reader (LPR)* – Public Safety had an automated license plate reader (LPR) installed on one of the patrol vehicles, funded from a grant from Missouri Homeland Security. The installation of the software segment is complete and operational. In addition to searching every plate in a nationwide data base for wants / warrants, the unit is capable of local or departmental “hot lists” that we can put in as a watch or stop and hold. This will provide opportunities as an investigative tool that the Department will explore as they become familiar with the technology.
- *Pierce and Dunn Drainage* – City staff met with SK Engineering at the intersection of Pierce Avenue and Dunn to discuss drainage concerns. SK Engineering, who is currently working on the Munn Street project, will provide staff with a cost estimate for a drainage study to determine the scope of the problem. Citizens in the area have expressed safety concerns with lack of storm sewer and ice build-up during the winter season.
- *Advertising Partnership* - The City of Maryville, Northwest Missouri State University, and Nodaway County Economic Development have partnered in an advertising effort through the Missouri Partnership. Industry Week Magazine will soon feature a Missouri supplement focused on advanced manufacturing and logistics with a circulation of over 120,000 in print. The three entities have designed an ad in the supplement focused on business recruitment to the Center for Innovation and Entrepreneurship (CIE) at NWMSU while referencing community amenities such as Mazingo Lake & Golf. The advertisement also features an article on Maryville provided by the Missouri Partnership. The magazine edition goes into production later this month and the City will be provided with copies of the supplement once completed.
- *Munn Avenue Street Improvement Project* – The City of Maryville is working with SK Engineering to complete the design of a street improvement project along Munn Avenue from South Avenue to Highway V. On August 28th, City and SK staff met with Maryville R-II School District Administration to discuss the project and any

potential design concerns. School District staff expressed overwhelming support for the project and has agreed to host the public meeting on the project for convenience of area residents. The City of Maryville will hold a public meeting for the proposed improvements on September 26, 2012 at 6:00 p.m. in the Maryville High School commons area. SK Engineers will present preliminary layouts, a construction schedule, and attempt to address any property owner concerns at this meeting. A press release will be issued this week regarding the meeting.

- *Phase M, Hospital to Middle School Trail* – The City of Maryville has received the final trail easement required on the project to request Right-of-Way clearance through the Missouri Department of Transportation (MoDOT). Once official clearance has been provided, the City can proceed to bid and award the project for construction. The project will consist of an eight foot concrete trail originating near the entrance of St. Francis Hospital, running west to the middle school and connecting near the soccer field to the existing trail system. The original cost estimate on the project is \$168,706 with eighty percent (80%) of the project funded through MoDOT Transportation Enhancement funds. The project will be bid with an alternate for a lighting system of the trail which was not included in the original estimate.
- *ITGA Certificate Program* – The International Town and Gown Association (ITGA) Certificate Program is a program designed to strengthen collaborative relationships between the community (town) and the local university (gown). The program is designed for university professionals, community leaders, and city officials to use real-world experiences to help stakeholders understand and address the complex challenges that occur with city and university relationships. The online six-week program includes six modules meeting for two hours, two times a week. The modules are Introduction to Town-Gown 101, Government Relations in Town-Gown Communities, University-Facility-Student Engagement in Town-Gown Relations, Alcohol-Beverage School 101, Building a Strong City/University Partnership, and Public Safety-Transportation-Parking. City Manager, Greg McDanel will begin the program October 2nd and determine whether the program is valuable training for additional staff. This action step aligns with the 2012-2013 City Council Key Performance area of “Establishing Collaborative Relationships with Educational Partners.”
- *4th Street Corridor* – City staff has been working to analyze various pieces of the Downtown Strategic Plan and the City’s upcoming Comprehensive Plan. Both plans make reference to the importance of enhancing the 4th Street corridor from downtown to Northwest Missouri State University with an improved streetscape as a key element of revitalization and rehabilitation. While meeting with Northwest’s Leadership Team last week, the City Manager discussed the upcoming comprehensive plan, the plan’s vision for the corridor, and potential partnerships between the City and University. City staff will likely begin analyzing cost estimates and grant opportunities for this potential project.
- *Hotel/Lodge at Lake Mozingo* – Upon the completion of a Hotel Market and Feasibility Study for Lake Mozingo provided by IDM, the City of Maryville has been approached by several interested developers wishing to discuss the opportunity. City staff, in conjunction with Nodaway County Economic Development, have had several meetings regarding the potential project and are performing due diligence. One of the 2012-2013 City Council goals is to “Attract a financial investor to build and operate a lodge and restaurant at Mozingo Lake.”
- *Mozingo Advisory Board* – The Mozingo Advisory Board held a meeting on Thursday, September 6th with City staff to discuss the upcoming 2012-2013 FY budget with regards to park and golf operations. City Manager, Greg McDanel, presented highlights of the proposed budget and discussed concerns with the board. The advisory board provided positive feedback and made several recommendations for capital expenditures which will be presented to the City Council during a separate budget workshop. All members of the Mozingo Advisory Board were present and engaged in the discussion.

## **II. Council Members**

- A list of City accomplishments composed by City Manager McDanel, for the current fiscal year ending September 30, 2012, was shared, by the Mayor.
- An inquiry about the status of the water tower water level issue being resolved by September 15, 2012, was discussed. Alternate solutions to the valve were visited but determined not to be feasible.
- Concerns for pedestrians at the crosswalk light on South Main Street were discussed. Staff will investigate the issue and look at possible solutions.

- It was asked if parking vehicles in the front yard of properties was considered a violation of the Maryville Municipal Code. It was explained that if the vehicles are not parked on an existing driveway, it could be considered a violation.
- Encouraging remarks were made to get citizens involved in their community and celebrate the accomplishments.

#### **BREAK**

A ten (10) minute recess was taken before beginning the review of the Mozingo Lake Park and Golf Course budgets for 2012-13.

#### **MOZINGO LAKE - 2012-2013 FISCAL YEAR BUDGET WORKSHOP**

City Manager McDanel presented the various segments of Mozingo Budget, including Mozingo Park Maintenance, Lake Patrol, Mozingo Golf Clubhouse, and Mozingo Golf Maintenance. Projected expenses for the overall Mozingo budget was \$2,041,480, with estimated revenues expected at \$1,883,175. Mozingo Lake and Golf operational expenses surpass basic and direct income streams by over two hundred thousand dollars (\$200,000), but the current sales tax supplements the financing gap, covers lake patrol expenses, and large capital expenditures. Advertizing and marketing will be a large focus for selling the Mozingo recreational areas. Management is putting together an operational plan to trend operations toward a successful business model and reduce reliance on sales tax.

In order for staff to portray a more professional look, Mozingo Golf Clubhouse is researching providing consistent uniforms for employees. Professional business training for employees is planned for the off-season period.

Capitol Outlays includes an SUV, for Lake Patrol (\$28,500) and a used skid steer loader (\$18,500) and two (2), seventy-two inches (72") zero turn mowers (\$27,000) for Mozingo Golf Maintenance. Mozingo Park Maintenance's budget has Capital Outlay consisting of Road Improvements (\$50,000), RV Electrical upgrades (\$750), dock replacement (\$35,000), Family Cabin Construction by Northwest Vocational Technical School (\$60,000), and a new bathhouse at the reservable RV sites (\$40,000).

#### **ADJOURNMENT**

Motion was made by Councilman Fall seconded by Councilman Moss that the meeting be adjourned. Upon the roll being called, the vote was as follows: Councilman Funston, yea; Councilman Moss, yea; Councilman Fall, yea; Councilwoman Riedel, yea; Mayor Jonagan, yea. Meeting was adjourned

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Glenn Jonagan, Mayor

ATTEST:

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Sheila Smail, City Clerk