

Maryville City Council

Regular Meeting

Monday, March 25, 2019
7:00 p.m.

PUBLIC HEARING

- **Public Hearing for MS4 Stormwater Management Plan (2019)**

Mayor Pro-Tem Lipiec opened a public hearing regarding the Public Hearing for MS4 Stormwater Management Plan (2019).

City Manager Greg McDanel explained that the City of Maryville has updated the Stormwater Management Plan (SWMP) in connection with a permit (MO-R040071) issued by the Missouri Department of Natural Resources (MDNR). Mr. McDanel reviewed the draft MS4 Stormwater Management Plan (2019) and explained the six (6) Minimum Control Measures, each including best management practices and qualitative goals as follows:

I. PUBLIC EDUCATION AND OUTREACH ON STORMWATER IMPACTS

- Publish one (1) article annually in local print media regarding stormwater impacts.
- Develop a landing page (www.maryville.org/stormwater) on the City's website to promote education, outreach and information regarding the SWMP.
- Develop a log form for citizens to register concerns and document responses to stormwater matters.
- Regularly update information about the SWMP and provide links to updates and information supplied by the MDNR and the United States Environmental Protection Agency (USEPA) and how it relates to the MS4 program.
- Distribute educational brochures and letters to waste haulers and restaurant owners regarding the proper management of waste grease, maintenance of grease traps and waste disposal.
- Initiate an educational program to residents targeting dumping of yard waste into the storm system. The educational programs will include "door knockers" to inform residents on the stormwater quality impacts of decomposing litter in the water along with city ordinances.
- Stencil stormwater inlets to indicate that materials entering the inlets discharge directly into the surrounding creeks, streams or lakes and not the sanitary sewer system.

II. PUBLIC INVOLVEMENT AND PARTICIPATION

- Promote and hold an annual public meeting regarding education of and soliciting input for the continued development of the SWMP. Public Hearings will include a fourteen (14) day public notice printed in a local newspaper and announced on social media.
- Develop an ordinance requiring a fourteen (14) day public notice prior to the submission of the SWMP or MSOP renewal application to the MDNR.
- Hold and organize an annual stormwater cleanup day with the organized volunteers.
- Create a log sheet to document volunteer work performed for the SWMP and to collect contact information for future involvement opportunities.

III. ILLICIT DISCHARGE DETECTION AND ELIMINATION

- The City of Maryville will properly train staff to identify and report potential dry weather illicit discharges. Staff will complete EPA webinars and contact MDNR for any Compliance Assistance Visits necessary.
- Conduct field investigation of the open channel system throughout the City. Field investigation will include walking the Waters of the State inspecting outfalls and noting whether a dry weather discharge was occurring.
- Conduct an annual update of the storm sewer system map with field located outfalls and any new drainage systems constructed. Identify all outfalls and add to GIS mapping databases.
- Pursue grants/funding for a household hazardous waste pickup day.
- Review existing ordinance prohibiting illicit discharges and recommend modifications to ordinance as required.

IV. CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

- Review and update any stormwater related sections of the code as needed.
- Perform site inspections prior to, during and with final inspection of construction related activities. The City will establish an inspection form to include site identifier, date of inspection, status of project and compliance determination for each construction project.
- Establish a grading permit that will be issued for construction activities to allow recourse for if problems arise on the project.
- Develop log form to register citizen complaints, specific to construction site activities.

V. POST CONSTRUCTION STORM WATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT

- Review and update ordinances to ensure post construction storm water management is included for redevelopment activities.
- Develop a plan designed to ensure adequate long-term operation and maintenance of selected stormwater control practices, including, as appropriate, types of agreements between the city and other parties such as post-development landowners.
- Inspect and document post-construction stormwater BMPs to ensure they are implemented and effective.

VI. POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

- Develop, review and maintain storm water pollution prevention plans for all municipal owned facilities. The plans will include items such as proper storage of chemicals, proper disposal methods, spill control/containment, cleanup procedures, and proper equipment maintenance practices to prevent fluid spills.
- Gather or develop training materials for staff to address pollution prevention plans and other good housekeeping requirements.
- Develop and review procedures for items such as inlet cleaning designed to reduce sediments and debris entering streams through the storm sewers.
- Continue regular street sweeping to prevent debris from entering the stormwater system.
- Complete a listing of all municipal operations that are impacted by the operation and maintenance program and include in annual municipal inspections

With no further discussion Mayor Pro-Tem Lipiec closed the Public Hearing.

REGULAR MEETING

The Council of the City of Maryville, Missouri, met in a regularly scheduled session on Monday, March 25, 2019, at 7:00 pm, at City Hall, 415 North Market Street, in said City.

ROLL CALL

The meeting was called to order by Mayor Pro-Tem Lipiec and roll was called by the City Clerk, with the following present to-wit: Mayor Pro-Tem Lipiec, Council Members, Jason McDowell, Matt Johnson, Tye Parsons. Mayor Rachael Martin was absent from the meeting.

Others present were City Manager Greg McDanel; Dir., Finance Denise Town; Dir., Public Works C.E. Goodall, Dir., Public Safety Keith Wood, Human Resource Manager Roxanne Reed and City Clerk Sheila Smail.

PLEDGE TO THE FLAG

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

INVOCATION

The invocation was given by Councilman Parsons.

APPROVAL OF THE AGENDA

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

Motion was made by Councilman McDowell, seconded by Councilman Johnson, that the agenda be approved as presented. Upon roll being called, the vote was as follows: Councilman Parsons, yea; Councilman McDowell, yea; Councilman Johnson, yea; Mayor Pro-Tem Lipiec, yea. Motion carried.

CITIZENS TO BE HEARD

Mayor Pro-Tem Lipiec 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.

REQUEST TO APPOINT MEMBER TO PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission serves as an advisory board to the City Council on issues such as rezoning requests, approval of preliminary and final plats of a subdivision development, zoning issues, and Special Use Permits. Once the Commission has discussed the details of a hearing held, they make formal recommendation to the City Council, who makes the final determination.

Planning and Zoning Commission Member Robert Cronk has recently resigned. Robert Cronk was first appointed to the commission in 2010. An application has been received from Phil Schreck expressing his interest in serving on the Planning and Zoning Commission.

Staff recommended the appointment of Phillip Schreck to the Planning and Zoning Commission to complete the unexpired term left by Robert Cronk. The current term will expire on May 1, 2022.

Motion was made by Councilman McDowell, seconded by Councilman Johnson to appoint Phillip Schreck to the Planning and Zoning Commission to complete the unexpired term left by Robert Cronk.. Upon roll being called the vote was as follows: Councilman McDowell, yea; Councilman Johnson, yea; Councilman Parsons, yea; Mayor Pro-Tem Lipiec, yea. Motion carried.

AN ORDINANCE TO ACKNOWLEDGE A PETITION TO ANNEX CERTAIN PROPERTY LOCATED NORTH OF 16TH STREET, OWNED BY KAILEY AND JONATHAN BLACK, AND SCHEDULING A PUBLIC HEARING

The City Clerk presented a bill, Bill No. 2019'14 for an ordinance entitled:

AN ORDINANCE TO ACKNOWLEDGE A PETITION TO ANNEX CERTAIN REAL ESTATE LOCATED NORTH OF 16TH STREET, OWNED BY KAILEY AND JONATHAN

BLACK, SCHEDULING A PUBLIC HEARING ON SAID PETITION AND DIRECTING THAT NOTICE OF SAID HEARING BE PUBLISHED IN THE MARYVILLE FORUM.

Missouri Revised Statutes Section 71.012 outlines annexation procedures for cities regarding unincorporated areas that are contiguous and compact to existing corporate limits. The section provides that upon presentation of a petition, the City Council shall hold a public hearing concerning the proposed annexation not less than fourteen (14), nor more than sixty (60) days after the petition for annexation is received. The hearing shall be held not less than seven (7) days after notice is provided in newspapers of the general circulation.

On March 20, 2019, staff received an application for voluntary annexation from Kailey and Jonathan Black for a 0.11 acre tract of land located North of West 16th Street. The property is adjacent to the northern city limits and has access to both city water and sewer services. The proposed annexation areas is vacant with no current use.

The property owners are requesting voluntary annexation in order to sell the property to the adjoining land owner inside the city limits. The buyer requires additional square footage for the lot in order to construct the intended development.

The voluntary annexation petition has been reviewed and meets all necessary requirements. The proposed ordinance accepts the petition as presented and schedules the required public hearing for April 8, 2019.

Annexation of property will lead to minimal additional property tax revenue until the lot is developed. There will be no expenses incurred by the City for extension of utilities to serve the property.

Staff recommended the approval of the proposed ordinance to acknowledge the petition to annex certain real estate located north of 16th Street owned by Kailey and Jonathan Black, scheduling a public hearing on said petition, and directing that notice of said hearing be published in the Maryville Forum.

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

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

Motion was made by Councilman McDowell, seconded by Councilman Parsons, to acknowledge the petition to annex certain real estate located north of 16th Street owned by Kailey and Jonathan Black, scheduling a public hearing on said petition, and directing that notice of said hearing be published in the Maryville Forum. Upon roll being called the vote was as follows: Councilman Johnson, yea; Councilman Parsons, yea; Mayor Pro-Tem Lipiec, yea. Motion carried. Said bill was then identified as Ordinance No. 8167 and was duly passed, adopted and was thereupon signed by the Mayor and attested by the City Clerk.

AN ORDINANCE TO EXECUTE A CONTRACT WITH SNYDER & ASSOCIATES, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE MAIN STREET MILL AND OVERLAY PROJECT

The City Clerk presented a bill, Bill No. 2019'15 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE A CONTRACT WITH SNYDER & ASSOCIATES, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE MAIN STREET MILL AND OVERLAY PROJECT, MARYVILLE, MISSOURI.

On February 25, 2019, the City Council held a discussion regarding the best use of Surface Transportation Program (STP) Small Urban Funds through the Missouri Department of Transportation (MoDOT). The City of Maryville currently has a balance of eighty-four thousand dollars (\$84,000) that must be obligated by June 30, 2019 or risk losing. STP Small Urban Funds must be used on roadways designated on MoDOT's Functional Classification System.

During the FY'19 Budget process, staff noted the intention of using STP funds for upgrading South Depot Street from Halsey to the south city limits. South Depot is identified as a Major Collection in the Functional Classification System and currently gravel at this location. The proposed project would also include the realignment of the South Depot intersection with Halsey and entrances to adjacent properties.

Over the winter, numerous weather events and frequent freeze-thaw cycles have wreaked havoc on street conditions. Several critical sections of roadway have now been elevated to priority status for future asphalt mill and overlay projects. South Main Street between Halsey and Lincoln has experienced significant deterioration and required patching all winter.

South Main Street is identified as a Minor Arterial in the Functional Classification System and eligible for use of STP Small Urban Funds. Due to its condition and high traffic volume, staff recommends shifting remaining STP funds from South Depot Street to South Main. MoDOT has approved the transfer and the City entering into a contract for engineering.

The proposed ordinance executes a contract with Snyder & Associates, Inc. in an amount not-to-exceed seventeen thousand four hundred ninety-six and 77/100 dollars (\$17,496.77) for professional engineering services. The contract includes both design and construction phase services to meet requirements of STP use. The City is permitted to select Snyder & Associates, Inc. from MoDOT's Local Public Agency (LPA) approved on-call list without formal bid for contracts under one hundred thousand dollars (\$100,000).

The FY'19 Budget includes one hundred thousand dollars (\$100,000) in the Capital Improvement Fund for repairs to South Depot Street with eighty-four thousand dollars (\$84,000) coming from STP Small Urban Funds. Approval of the proposed contract will leave eighty-two thousand five hundred three and 23/100 dollars (\$82,503.23) for construction along with an additional one hundred thirty thousand dollars (\$130,000) earmarked for additional asphalt mill and overlay.

Staff recommended approval of the proposed ordinance and execute a contract with Snyder & Associate, Inc. to provide professional engineering services for the Main Street Mill and Overlay Project, in an amount not-to-exceed seventeen thousand four hundred ninety-six and 77/100 dollars (\$17,496.77). South Main Street from Halsey to Lincoln is in poor condition creating travel and safety issues through the city's main corridor.

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

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

Motion was made by Councilman McDowell, seconded by Councilman Johnson, to approve the ordinance and execute a contract with Snyder & Associate, Inc. to provide professional engineering services for the Main Street Mill and Overlay Project, in an amount not-to-exceed seventeen thousand four hundred ninety-six and 77/100 dollars (\$17,496.77). Upon roll being called the vote was as follows: Councilman Johnson, yea; Councilman Parsons, yea; Councilman Lipiec, yea; Mayor Pro-Tem Lipiec, yea. Motion carried. Said bill was then identified as Ordinance No. 8168 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. 2019-06.

AN ORDINANCE TO EXECUTE AN AGREEMENT WITH THE NORTHWEST REGIONAL COUNCIL OF GOVERNMENTS FOR PROFESSIONAL ADMINISTRATIVE SERVICES ON THE SOUTH MAIN CORRIDOR IMPROVEMENT PROJECT, STP-4300 (112)

The City Clerk presented a bill, Bill No. 2019'16 for an ordinance entitled:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARYVILLE, MISSOURI, TO EXECUTE AN AGREEMENT WITH THE NORTHWEST REGIONAL COUNCIL OF GOVERNMENTS TO PROVIDE PROFESSIONAL ADMINISTRATIVE SERVICES FOR THE SOUTH MAIN CORRIDOR IMPROVEMENT PROJECT, STP-4300 (112) MISSOURI.

In 2015, the City of Maryville hired SK Design Group, Inc. to perform a traffic study on the South Main Street corridor. The intent of the study was to determine the best way to serve existing and future travel demands along South Main Street from South Avenue to Highway 71 Bypass. The study's general scope included a review of existing traffic conditions, lane configurations, signal spacing and timings, traffic control devices, crash patterns and availability of non-motorized facilities such as sidewalks and bike routes. The public involvement component of the study was ongoing throughout the plan development process. The consultant team conducted several stakeholder collaboration sessions, presentations and community opinion surveys. Data collection efforts for the study included review of the Maryville Comprehensive Plan, existing rights-of-way, utility systems, drainage systems and traffic volumes. Additional information collected included obtaining three (3) years of crash history, performing a Road Safety Assessment (RSA), and conducting turning movements at key intersections in regular and peak-hours.

The South Main Traffic Corridor Study developed a conceptual framework for the ideal roadway design and documented opportunities for increasing operational efficiency and safety for all road-users. The plan established an Access Management Guide that has been used by City staff for reviewing developments along the corridor. The conceptual plan was presented to the City Council on August 24, 2015 and outlined improvements in three (3) specific phases. The study recommended Phase I improvements from the intersection of South Avenue to just north of the Walmart northern entrance. The intersection at South Avenue was defined as the most severe functional issue along the corridor causing the most congestion. Phase II

outlined improvements from the north Walmart entrance south to Highway V. Phase III continued functional and aesthetic improvements from Highway V south to Highway 71 Bypass.

On February 22, 2016, the City Council approved a Design Professional Services Agreement with SK Design, Inc. (2016-02) for engineering design services for the South Main Corridor Improvement Project, Phase I, in an amount not-to-exceed two hundred twenty-seven thousand five hundred dollars (\$227,500). Design costs for Phase I were split among the FY'16 and FY'17 budgets. In April 2017, voters approved the renewal of the one half (½) cent capital improvement sales tax with the intention of improvements to South Main being a high priority. Phase I engineering and design is approximately 85% complete and the project was targeted for construction in Spring 2019.

In July, City staff and the Northwest Regional Council of Governments partnered to submit an application to the United States Department of Transportation (USDOT) for Better Utilizing Investments to Leverage Development (BUILD) funds to complete the reconstruction of South Main Street as one (1) project. In addition to cost savings and project efficiencies, the project would reduce years of inconvenience and disruption for citizens and businesses along the corridor. BUILD grants were highly competitive with only \$1.5 billion allocated by Congress for the program nationwide. A total of eight hundred fifty-one (851) applications were received with funding requests totaling over eleven billion dollars (\$11,000,000,000). A total of ninety-one (91) projects were awarded throughout the United States and only four (4) in Missouri. On December 6th, the City of Maryville was notified that the South Main Corridor Improvement Project will receive ten million four hundred eighty-eight thousand eighty-eight dollars (\$10,488,088) in BUILD funds.

Over the past few months, staff has been working with the USDOT, Federal Highway Administration, Missouri Department of Transportation (MoDOT), and the Northwest Regional Council of Governments to complete questionnaires and submit required information to the program. The application for BUILD funds referenced various project partners to ensure all program requirements are met. The City identified the Northwest Regional Council Governments as a resource to assist with various reporting requirements, contract management, and project close-out. A total of seventy-five thousand dollars (\$75,000) was included in the BUILD project budget for expenses associated with these requirements.

The proposed agreement with the Northwest Regional Council of Governments outlines certain professional administrative services for the BUILD program. These requirements include, but are not limited to: establishing and reporting on performance measures, submission of required project budgets, quarterly reporting through the RADS system, weekly labor and payroll verification reporting, and assistance with contract procurement. MoDOT and FHWA are already working with the Northwest Regional Council of Governments to clarify and outline exact reporting procedures.

The proposed agreement for professional administrative services includes a not-to-exceed amount of seventy-five thousand dollars (\$75,000) for a three-year reporting period. The BUILD grant budget identifies the City as having a seventeen percent (17%) local match on the project or two million one hundred sixty-nine thousand two hundred ten dollars (\$2,169,210). The local match will include all engineering, inspection, contract administration, and a portion of construction costs. There is no required BUILD match for rural communities and if construction bids are under budget, the city's contribution will decrease.

The City plans to issue Certificates of Participation (COPs) at some point over the next year to finance a portion of project costs and approved a Reimbursement Resolution on March 11, 2019. The resolution will allow the City to reimburse itself for certain project costs incurred from the proceeds of future tax-exempt financing.

Staff recommended approval of the proposed ordinance to execute an agreement with the Northwest Regional Council of Governments for professional administrative services, in an amount not-to-exceed seventy-five thousand dollars (\$75,000). The BUILD program includes complex reporting requirements familiar to the Northwest Missouri Regional Council of Governments. A project of this scope will require an unprecedented level of management and staff recommends additional assistance. The South Main Corridor Improvement Project is the top priority in the Maryville Comprehensive Plan and will be transformational for the community.

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

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

Motion was made by Councilman McDowell, seconded by Councilman Parsons, to approve the ordinance to execute an agreement with the Northwest Regional Council of Governments for professional administrative services, in an amount not-

to-exceed seventy-five thousand dollars (\$75,000). Upon roll being called the vote was as follows: Councilman McDowell yea; Councilman Johnson, yea; Councilman Parsons, yea; Mayor Pro-Tem Lipiec, yea. Motion carried. Said bill was then identified as Ordinance No. 8169 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. 2019-07.

REPORTS

I. Student Liaison

- No Report

II. City Manager

- *Use Tax Proposal, April 2, 2019* - The City of Maryville has placed the use tax proposal on the April 2, 2019, ballot for consideration by Maryville voters. The use tax simply applies the local sales tax rate to purchases made to online out-of-state vendors in the same manner and at the same rate previously approved by voters. The United States Department of Commerce estimates eleven percent (11%) of all retail sales now occur online and forty-nine percent (49%) of all US e-commerce occurs at Amazon. Many of those purchases are made to online out-of-state vendors where no local sales tax is applied. In addition to reduced revenue for local initiatives, this scenario may create a competitive disadvantage for local brick-and-mortar businesses. If approved by voters, the use tax would recapture an estimated two hundred forty-five thousand dollars (\$245,000) in revenue per year and preserve another forty-five thousand dollars (\$45,000) in revenue from titling of motor vehicles. The use tax proposal on the November ballot failed by a fifty-five to forty-five percent (55% - 45%) margin. Staff has updated educational information and the use tax video which are available at www.maryville.org/usetax.
- *Ingram's Magazine* - Councilmember Jason McDowell has been named to *Ingram's Magazine's* "Top 50 Missourians You Should Know" for 2019. As Mayor in 2016 and 2017, Jason was instrumental in successfully navigating the City of Maryville through four (4) separate ballot measures and providing leadership for projects such as the Conference Center at Mazingo Lake Recreation Park and the Hughes Fieldhouse. Jason is a graduate of Northwest Missouri State University and serves as the Principal/Interim Superintendent for Northeast Nodaway. Earlier this month, Jason was awarded the 2019 Missouri Exemplary New Principal award by the Missouri Association of Elementary School Principals (MASEP) for the northwest region. The March 2019 issue of *Ingram's Magazine* featuring the "Top 50 Missourians You Should Know" was scheduled for release March 21, 2019. Congratulations Jason and thank you for your service to the Maryville community.
- *Children's Business Fair* - The Maryville Public Library held a Children's Business Fair on March 9, 2019 featuring twenty (20) local youth-run businesses. Over the three and one half (3 1/2) hour market, eighteen (18) of those businesses collected two thousand sixty-four and 49/100 dollars (\$2,064.49) resulting in one hundred seventy-two and 47/100 dollars (\$172.47) in total sales tax revenue. Library staff was eager to explain to participants what sales taxes are and how they can support their local community. Staff emphasized support for Maryville Public Safety Officers and maintenance of roads to enhance their ability to transport goods to market.
- *Wayfinding Workshop* - On February 25, 2019, the City Council approved a contract with Indigo Design, Inc. for professional design services to develop wayfinding signage throughout the community. The Tourism Committee and Indigo Design, Inc. have scheduled a kick-off workshop for Wednesday, April 3, 2019 at 3:30 p.m. in the council chambers of City Hall. The workshop will begin to identify goals for the project, various theme elements, and potential location decisions. Wayfinding is a tool for directing travelers to destinations while at the same time creating a positive first impression through a branded navigation system.
- *Springstead Academy for Government Professionals* - The 2019 Springstead Academy for Government Professionals will be held this Wednesday, March 27, 2019 in Olathe, KS. The title of the event is "Resilient Communities in a Rapidly Changing World", and will feature City Managers and staff from various communities across Missouri and Kansas. City Manager Greg McDanel, and Pittsburg, Kansas City Manager Daron Hall, will be providing a joint-presentation titled "Leveraging Your Community's Assets". The presentations will feature best practices and success stories from the similar communities of Maryville and Pittsburg.
- *MML Elected Officials Conference* - The annual Missouri Municipal League Elected Officials Conference will be held June 6 & 7, 2019, at the Holiday Inn in Columbia, Missouri. The annual conference provides a nuts and bolts review of important issues municipal officials face on a regular basis. While the conference focuses on

providing a knowledge base for newly elected officials, other municipal staff may attend as a refresher. Topics include fundamentals of local government, revenue sources, personnel law, budgets, the Missouri Sunshine Law, liability and risk, as well as an overview of what MML can provide to cities. Registration is open for anyone interested in attending.

- *Downtown Design Guidelines* - City Manager Greg McDanel and Assistant City Manager Ryan Heiland presented a draft update of the Downtown Design Guidelines to the Maryville Downtown Improvement Organization (MDIO). The design guidelines were originally developed in 2009 as a part of the Downtown Revitalization and Economic Assistance for Missouri (DREAM) program by PGAV Urban Consulting. Design Guidelines provide recommendations to the City, property owners, and other stakeholders to help recapture the characteristics of existing buildings and guide new development in downtown. Staff updated the document with a new photo inventory, existing framework of downtown initiatives, and recommendations from the Missouri Main Street Resource Report from 2018. MDIO will now assist in obtaining input from downtown businesses, property owners, and other stakeholders on what should be included in the document and highlighted for future policy discussions.
- *Cellebrite Training* - The Nodaway County Sheriff's Office was recently awarded a grant from the Gladys Rickard Charitable Trust for the purchase of a new Cellebrite instrument. This instrument is a high-tech machine for the purpose of analyzing cell phone data in criminal investigations. This is the second such instrument that the Sheriff's Office has had, replacing one which has expired support. Maryville Public Safety Officer Adam James was a trained investigator on the old instrument and has been selected to be trained and certified on the replacement. Towards that effort, both agencies have agreed to share training expenses. Officer James is currently enrolled for a week's long certification training in Dallas, Texas at the end of May. This is a service that both agencies share and offer as a resource to other area law enforcement who need the support.
- *DRE/SFST Technical Panel* - Maryville Public Safety Officer Tyler Salisbury has been selected by the DRE/SFST (Drug Recognition Expert / Standardized Field Sobriety Testing) Technical Panel at the Missouri State Highway Patrol Training Academy to participate in specialized training offered by the Academy. The selection comes through a highly competitive application and selection process and he will be the only DRE for MPS once training is completed. The training consists of over 80 hours of class in Jefferson City towards the end of April and another 55 hours of field training in Phoenix, Arizona in mid-May. Officer Salisbury will actually be on the streets of Phoenix using his acquired skills to analyze drug use and determine the correct substances they are abusing. This training is funded by a mini-grant from Highway Safety.
- *Main Street Conference Attended* – Asst., City Manager Ryan Heiland, Stephanie Campbell and Deanne Davidson, are in Seattle, Washington, attending the Main Street Conference, this week.
- *Maryville Public Safety Training* - Seven (7) Maryville Public Safety Officers were able to attend a training in St. Joseph on March 19 and 20, 2019 on "Why Teens Kill". The training was designed for both law enforcement and educators. Maryville Public Safety was a sponsor for the training hosted by the Buchanan County Sheriff's Office. MPS Dispatcher Leslie Wilcox attended the Missouri Public Safety Communications Conference March 10–13, 2019 at the Lake of Ozarks. Sessions included training on using emergency caller's mobile device to aid in identifying exact locations during certain circumstances and how to guide distressed callers. An in-depth presentation was also provided on domestic violence situations and dynamics that contribute to a "domestic violence cycle". Trainings also noted the importance of self-care while working rotating shifts in a stressful environment. Several vendors were also identified as potential partners to assist in the planning process of dispatch equipment updates. On March 19, 2019, Dispatch Supervisor Jessica Rickabaugh, Dispatcher Jordan Christensen, Fire Captain Phil Rickabaugh, Fire Lieutenant Angie Jones, and Firefighter Jace Pine attended a Pipeline Training at the Mozingo Lake Conference Center. The training provided information on recognizing pipeline leaks and emergencies and included a table top situation where various agencies responded to pipeline emergencies.
- *Water/Sewer Maintenance Division of Public Works* - The Sewer Maintenance Division responded to four (4) separate sewer issues due to the rain and melting of snow. All issues were ultimately determined to be private system issues. Staff also worked on two of the city's lift stations, replacing fuses and in one case pulling the pump due to debris stuck in the impeller, restricting the pumping volume and causing the pump to run high amps. Staff also continues work on the Northwest shed at the maintenance facility with installation of the overhead doors. The Water Maintenance Division responded to five leaks in the past two (2) weeks, including a six

inch (6") main on Main Street. Staff also completed 61 work orders and fifty-one (51) locates for various projects.

- *Street Maintenance Division of Public Works* - The Street Maintenance Division continues spending the majority of time on pothole repairs in between rain events. Approximately seventy-five (75) ton of patch has been laid since March 1, 2019. During the rain events staff has continued to try to complete reconstruction of the ceiling in the south building at the Street Maintenance Facility on Newton Street.
- *Code Enforcement Division of Public Works* - City of Maryville Code Enforcement staff have been working on the process to adopt updated International Building Codes (IBC). Staff continues training efforts on the new code and meeting with area contractors for input. A Planning and Zoning meeting has been scheduled for April 3, 2019 and will include a zoning confirmation, rezoning request, and a review of updated telecommunications related zoning code. A Board of Code Appeals will also be scheduled in the near future to address at least four substandard/dangerous structures.
- *100th General Assembly Report* - Many important issues remain unresolved as members of the 100th General Assembly began a week-long spring break on March 14, 2019. When legislators return on Monday, March 25, 2019, they will begin floor debates on the state budget, leaving less time for work on legislation of special interest. Several items remain of municipal interest:
 - *Capturing Tax Revenue from Out-of-State Sellers* - On March 13, 2019, the Senate Committee on Local Government held an executive session on SB 189 relating to Internet use tax. A Senate Committee Substitute was adopted that adds marketplace facilitator language and removes the 200-transaction threshold. After a brief discussion, the committee voted the bill "do pass" by a vote of 6-1 with Senator Scott Sifton (D-St. Louis) casting the only opposing vote. The House companion bill, HB 701, sponsored by Representative Bill Falkner (R-St. Joseph), will be heard by the House Ways and Means Committee on Wednesday, March 27, 2019, at 8:00 a.m.
 - *Local Sales Tax Cap* - The Senate Committee on Government Reform held a hearing on SB 149 on March 12, 2019. This legislation, sponsored by Senator Andrew Koenig (R-Manchester), seeks to cap local sales tax rates at seven and 275/1000 (7.275) percent. During his presentation of the bill, the sponsor said that he is not tied to that number and willing to negotiate. Senator Koenig also noted pleasure with new language in HB 374, that simply requires that the current local tax be listed on any ballot measure proposing a tax increase. Transient guest taxes are not included in this legislation. Associated Industries of Missouri spoke in favor of the bill. Speaking against the proposal were the Missouri Municipal League, City of Kansas City, and the Municipal League of Metro St. Louis.
 - *Local Sales Tax Ballot Language* - On March 12, 2019, the House perfected HCS HB 374, sponsored by Representative Phil Christofanelli (R-St. Peters). This bill requires that after August 28, 2019, any political subdivision imposing a sales tax increase that requires voter approval to place the following information on every ballot associated with the proposed increase: (1) The highest cumulative sales tax rate within the political subdivision if the sales tax increase is enacted; (2) The lowest cumulative sales tax rate within the political subdivision if the increase is enacted; and (3) The average cumulative sales tax rate within the political subdivision if the increase is enacted. The average cumulative sales tax rate must be calculated by adding together the cumulative sales tax rates of every distinct taxing district within the political subdivision and dividing that sum by the total number of distinct taxing districts.
 - *Motor Fuel Increase* - The Senate Transportation, Infrastructure and Public Safety Committee convened on March 14, 2019 to discuss SB 430, sponsored by Senator Doug Libla (R-Poplar Bluff). The bill increases the motor fuel tax from seventeen cents (\$0.17) per gallon to twenty-three cents (\$0.23) per gallon, using a gradual two-cent per gallon increase over a three-year period. The Missouri Municipal League, the Missouri Department of Transportation, Missouri Transportation Development Council, Associated Industries of Missouri, Missouri Petroleum Marketers Convenience Stores Association, Greater KC Chamber of Commerce, Construction Employers Coalition, Missouri Concrete Association, South City Chamber of Commerce, Missouri Soy Bean Association, Regional Strategies, Missouri Farm Bureau, Missouri Limestone Association, Missouri Society of Professional Engineers, Missouri Chamber of

Commerce, Association of Contractors of Missouri, Empower Missouri, all provided supporting testimony. No opposing testimony was provided.

- Preemption of Municipal Dog Regulations - The House Special Committee on Urban Issues met in executive session on March 13, 2019, to consider HB 297, sponsored by Representative Ron Hicks (R-Dardenne Prairie). The bill prohibits municipalities from regulating dogs based on their breed. During discussions, substitute language was adopted relating to negligent dog owners. Once modified, the bill was passed 7-0.
- Failure to Appear - SB 207, sponsored by Senator Emery (R-Lamar), allows any city or village to establish, by ordinance, an administrative adjudication system for minor traffic violations, nuisance and zoning municipal code violations. For the defendants who are served with a summons but refuse to appear, a default judgement could be issued by the law judge and the case would be concluded. This bill rectifies an unintended consequence created by SB 5 (2015) and SB 572 (2016) that removed the penalty for missing scheduled municipal court hearings. A Senate Committee Substitute was voted out of the Senate Local Government and Elections Committee on March 6, 2019 and is currently awaiting placement on the Senate perfection calendar.
- Video Franchise Fee - SB 273 sponsored by Senator Emery (R-Lamar), beginning Jan. 1, 2021, every provider of video service will remit a three (3) percent fee to the Missouri Department of Revenue one hundred percent (100%) of the 2019 Video Service Provider Fee Base shall be allocated and distributed among each franchise entity that imposed a video service provider fee on or before Jan. 1, 2019. All remaining funds shall be transferred to the Rural Broadband Fund established by the act to expand access to broadband internet service in unserved and under-served areas of the state. Due to significant opposition, the sponsor has placed a hold on this bill.
- 911 Emergency Communications - SB 291 sponsored by Senator Wayne Wallingford (R-Cape Girardeau), clarifies the taxing structure for communities that opt into 911 services. The bill was third read and sent to the House by a vote of twenty-seven to six (27-6).
- Municipal Court Automation - SB 392 sponsored by Senator Paul Wieland (R-Imperial), allows for municipal courts to select and operate a case management system. Hearing conducted in the Senate Judiciary and Civil and Criminal Jurisprudence Committee on March 4, 2019. No further action to date.
- Stop Socialism Act - SB 122 sponsored by Senator Eric Burlison (R-Springfield), establishes the Stop Socialism Act and creates a cause of action against a public body that provides, or offers to provide, a competitive service that is also provided by a private citizen within the jurisdiction of the public body. A Senate Committee Substitute was voted out of the Senate General Laws Committee with a “Do Pass” recommendation on March 5, 2019. HB 856 Sponsored by Representative Dirk Deaton (R- Noel), a bill similar to SB 122 was voted out of the House Downsizing State Government Committee with a “Do Pass” recommendation on March 4, 2019.
- *Graceland Invitational at Mozingo Lake Recreation Park* - Graceland Invitational at Mozingo Lake Recreation Park Mozingo Lake Recreation Park is hosting the first golf tournament of the year on March 29 & 30, 2019. For the fifth (5th) year in a row, Graceland University is hosting the Graceland Invitational. This tournament brings approximately one hundred twenty (120) players from five (5) states to the Sechrest 18 for a two (2) day tournament. This year, William Coy’s will be providing the food for the awards banquet to be held on Saturday night in the restaurant.
- *Job Openings at Mozingo Lake Recreation Park* - Mozingo Lake Recreation Park is currently advertising to fill both full-time and part-time/seasonal positions. The full-time position is a Park-Maintenance Technician. This full-time position assists with all maintenance activities related to the park but has a primary focus of golf course maintenance. The part-time/seasonal job openings are: bartender, housekeeping, seasonal maintenance laborer, seasonal facility& grounds custodian, seasonal concessions, seasonal info booth attendant, and seasonal golf cart attendant. Full job descriptions and applications can be found online at www.maryville.org.
- *Flood Relief efforts at Mozingo Lake Recreation Park* - Due to the ongoing flooding in northwest Missouri, Mozingo Lake Recreation Park has offered to provide free RV camping to any residents currently displaced by flood waters. Anyone seeking to utilize this offer must provide their own RV/camper and proof of residency within a flood impacted area. RV sites at Mozingo are water & electric hookups only and a shower house facility available. Limited duration applies. Please help spread the word to anyone looking for temporary relief. There have been eleven (11)

flood victims take advantage of the ability to camp free at Mozingo Lake Recreation Park. There was only one (1) left that morning.

- *EAA Chili Fly-In at Northwest Missouri Regional Airport* - On March 23, 2019 from Noon – 3:00 p.m., the Hawk Road Flyers EAA Chapter 1540 hosted a Chili Fly-In to support the Chapter 1540 Young Eagles Program. The event was open to the public and considered a free-will luncheon. Funds raised from the event will be used towards supporting activities to introduce aviation to youth through the Young Eagles program. The City of Maryville helps sponsor this event by providing reduced fuel costs for pilots that fly-in for the event as well as minor material support towards event costs.
- *Golf Simulators at Mozingo Lake Recreation Park* - The spring high school golf season has started and with the continued poor weather conditions, Mozingo Lake Recreation Park is offering a golf simulator special for high school golf teams. A special rate of fifteen dollars (\$15.00) per hour is now available for each golf team to address practice needs interested teams should contact the pro shop at (660) 562-3864 to reserve swing bay tee times.
- *PGA Junior League at Mozingo Lake Recreation Park* - Sign-ups for the PGA Junior League at Mozingo Lake Recreation Park are now open! This will be the third season this program is offered at Mozingo. Over the past two (2) years this program has seen great growth and continues to receive very positive feedback from both junior golfers and parents. PGA Junior League is an opportunity for boys & girls to learn and play golf in a team oriented, competitive environment. Expert coaching is provided by both PGA and LPGA golf professionals. The fun and welcoming team format creates an environment for every child to become a golfer. Teams are 13u or 17u and more information can be found at www.pgajrleague.com/sign-up.

II. Council

- *Flood Victim Assistance* – It was noted that if Flood Victims are needing assistance the Ministry Center and the Second Harvest Food Bank have offered to assist those who have been displaced due to the recent floods.
- *Vote April 2, 2019, Use Tax* – Everyone was encouraged to vote on Tuesday, April 2, 2019. The ballot will include an election of one Council Member and the Use Tax Initiative.

ADJOURNMENT

Motion was then made by Councilman Lipiec, seconded by Councilman Johnson, to adjourn the meeting. Upon roll being called, the vote was as follows: Councilman Parsons, yea; Councilman Lipiec, yea; Councilman Johnson, yea; Mayor Pro-Tem Lipiec, yea. Motion carried. Meeting was adjourned at 8:20 p.m.

Benjamin Lipiec

Benjamin Lipiec, Mayor Pro-Tem

ATTEST

Sheila Smail

Sheila Smail, City Clerk

(03/25/2019)