

COUNCIL & STAFF PRESENT:

Jeff Newton	Mayor
Martha Rowe	Mayor Pro Tem
Tom Mayer	Councilmember
Jill McCord	Councilmember
Aaron Rodgerson	Councilmember
Howard Hickman	City Attorney
Mari Macomber	City Manager
Kris McKim	Assistant City Manager
Sarah Halstead	Deputy City Clerk
Brad Selby	Code Administrator
John Buckwalter	Public Works Director
Pat Meredith	Human Resources Director
Laura Guy	Finance Director
Randy Behrens	Fire Chief
Jim Hughes	Police Chief

Absent:

The City Council of the City of Kirksville, Missouri, met in a Regular Session on Tuesday, September 4, 2007, at 5:30 p.m. in the City Hall Council Chambers.

INVOCATION/PLEDGE

Major William Hogg, Salvation Army gave the Invocation.
The Mayor and City Council led the Pledge of Allegiance.

MINUTES

Council Member McCord moved to approve the minutes of the regular session of August 7, 2007; seconded by Council Member Rowe. The motion carried by the following vote: Mayor Newton – aye; Council Members: Mayer – aye; McCord – aye; Rodgerson – aye; Rowe – aye. Nays – none.

ORDER OF AGENDA

Council Member McCord moved to approve the agenda, as distributed; seconded by Council Member Rowe. The motion carried by the following vote: Mayor Newton – aye; Council Members: Mayer – aye; McCord – aye; Rodgerson – aye; Rowe – aye. Nays – none.

INFORMATION PRESENTATION

None.

CITIZEN PARTICIPATION

None.

OLD BUSINESS

None.

ACTION PRESENTATIONS

BILL NO. 2007-38

[Resolution No. R9-4-554]

A RESOLUTION RECOGNIZING JERRY REED, MAINTENANCE WORKER, UPON HIS RETIREMENT FOR 29 YEARS AND 4 MONTHS OF SERVICE TO THE CITY OF KIRKSVILLE, MISSOURI.

WHEREAS, the City of Kirksville is desirous of recognizing long-term employees, and

WHEREAS, Jerry Reed has worked for the City of Kirksville Street Department since April 03, 1978, and

WHEREAS, Jerry Reed has significantly contributed to and assisted in various departmental functions of the city government; and

WHEREAS, Jerry Reed's performance of his duties and responsibilities, and his working relationships were always characterized by an obvious dedication to a job; and

WHEREAS, Jerry Reed retired on August 23, 2007, after serving the City of Kirksville and its citizens for 29 years and 4 months.

NOW, THEREFORE, BE IT RESOLVED that the City Council extends respect and appreciation on behalf of a grateful City to Jerry Reed for his years of service, and the Council expresses best wishes for much success and happiness in the future.

BILL NO. 2007-39

[Resolution No. R9-4-555]

A RESOLUTION HONORING PAUL FRAZIER, CODES AND PLANNING DIRECTOR, UPON HIS RETIREMENT FOR 32 YEARS AND 11 MONTHS OF SERVICE TO THE CITY OF KIRKSVILLE, MISSOURI.

WHEREAS, the City of Kirksville is desirous of recognizing long-term employees, and

WHEREAS, Paul Frazier has worked for the City of Kirksville Codes Department as Codes and Planning Director since October 1, 1974, and he has made major contributions to the City as demonstrated by his abilities; and

WHEREAS, Paul Frazier has displayed through the performance of his duties the highest standards of personal ethics, professional competency and dedication; and

WHEREAS, Paul Frazier, through both his character and performance, has contributed significantly to the advancement of improved codes and planning services to the Kirksville community; and

WHEREAS, Paul Frazier retired on August 31, 2007, after serving the City of Kirksville and its citizens for 32 years and 11 months.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirksville, that its sincere recognition and commendation for superior performance be extended to Paul Frazier; and

BE IT FURTHER RESOLVED that the City Council extends respect and appreciation on behalf of a grateful city to Paul Frazier for his years of service.

Council Member McCord moved to approve Bill No. 2007-38 and Bill No. 2007-39; seconded by Council Member Rodgerson. The motion carried by the following vote: Mayor Newton – aye; Council Members: Mayer – aye; McCord – aye; Rodgerson – aye; Rowe – aye. Nays – none.

Human Resources Director, Pat Meredith, introduced Jerry Reed as a City employee for almost 30 years. Meredith said that he was affectionately called Squeaky by his coworkers, and has worked hard and seen a lot of changes while employed by the City of Kirksville.

Mayor Newton read and presented the Resolution to Jerry Reed.

Human Resources Director, Pat Meredith, introduced Paul Frazier and said that he had been employed by the City of Kirksville for one month short of 33 years. Meredith said that Paul had a dream for a number of years to have a street named after him. Meredith stated that the City Manager could not find a City street without a name, but that they were able to find him his very own street sign. Meredith presented Frazier with the Paul David Frazier St sign.

Manager Macomber said he would have to take it upon himself to find out if the County would let him put it up.

Mayor Newton read and presented the Resolution to Paul Frazier.

BILL NO. 2007-40 **[Resolution No. R9-4-556]**
A RESOLUTION OF THE CITY OF KIRKSVILLE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CARLSON GARDNER PROPERTIES FOR THE TRANSFER OF LAND ADJACENT TO TRAVELER'S SQUARE

WHEREAS, the Kirksville City Council has supported the efforts of Carlson Gardner in their attempts to attain State tax credits to refurbish the Traveler's Hotel property in Downtown Kirksville; and

WHEREAS, the City has been determined to own a piece of property adjacent to the Traveler's Hotel property and known as:

the parcel contiguous to and directly west of the Traveler's Hotel, 301 West Washington, Kirksville, Missouri, and bound to the north by Washington Street, to the east by the Traveler's Hotel, to the south by a city alley and to the west by a railroad right-of-way; and

WHEREAS, this property is property that Carlson Gardner would use to build an expanded parking area for its tenants; and

WHEREAS, Carlson Gardner desires to improve the parking area for the property and adhere to the City's design guidelines for Downtown parking lots; and

WHEREAS, Carlson Gardner is under tight time restraints to complete these transactions to meet the State's revised deadline for the tax credit programs;

NOW, THEREFORE, BE IT RESOLVED, that the City Council authorizes the City Manager and to proceed with the execution of any legal documents on the transfer to said property, as described above.

Council Member Rodgerson moved to approve Bill No. 2007-40; seconded by Council Member Mayer.

Assistant City Manager, Kris McKim, stated that research being done by the abstract company working for Carlson Gardner found that the City owned the strip of property adjacent to the existing parking lot. Carlson Gardner had anticipated expanding and beautifying their parking, putting in some perimeter landscaping, etc. McKim said it was Carlson Gardner's desire to have that piece of property, and that there is an agreement draft attached. McKim stated that the resolution allows the manager to work out the details with Carlson Gardner. McKim said that Carson Gardner is under a tight deadline and has to have their information to the State by October 1, 2007 for their tax credits. McKim stated that they are trying to get all of the details taken care of before that deadline.

Manager Macomber said that the motion presented to the Council says "...authorizing the city manager to enter into an agreement with Carlson Gardner..." and that Carlson Gardner has drafted an agreement. Macomber stated that she would like to meet with the City Attorney, Howard Hickman, because one of the components in the agreement is that Carlson Gardner makes improvements to the parking area as previously discussed. Macomber wants to make sure that it's clear how that work is to be done, and to make sure the City is covered in all aspects when the property is transferred through a Quit Claim Deed.

Council Member Mayer asked if the resolution is approved whether or not the issue would be brought back to the Council.

Macomber stated that she could bring it back to the Council, but that the Council had in their hands an agreement that was approved by Carlson Gardner. Macomber said that she just wanted Hickman to review it with her to make sure the agreement met the requirements from the City's legal standpoint. Macomber said that she had not anticipated bringing it back. Macomber stated that due to the timing she and Hickman had just not had time to review it in depth, but that the main body of the agreement was there. Macomber stated that the City would be giving them the parking lot in return for Carlson Gardner making improvements, and that there would be nothing else the City would have to do. Macomber said that we cannot give them clear title, so the City just needs to make sure the transfer is written correctly.

Hickman stated that the contract would need to be changed from the City's standpoint in respect to the way the title is conveyed by general warranty deed. Hickman said to his understanding the City did not get an actual deed to the property, but acquired it through abandonment of railway right of way. This would mean that the property would only be conveyed by quit claim deed instead of warranty deed. Hickman wanted to make sure that Carlson Gardner's obligation to make the improvements was outlined as well. Hickman said that if problems arose the item would be brought back to the Council, but he does not foresee any.

The motion carried by the following vote: Mayor Newton – aye; Council Members: Mayer – aye; McCord – aye; Rodgerson – aye; Rowe – aye. Nays – none.

BILL NO. 2007-41

[ORDINANCE NO. 11807]

AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF KIRKSVILLE AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR

TRANSPORTATION ENHANCEMENT FUNDS.

Council Member Mayer moved to approve Bill No. 2007-41; seconded by Council Member Rodgerson.

McKim stated that the City applied for a MoDOT Enhancement Grant in May 2007, to do a sidewalk connectivity project. The Grant was approved and the City attended the mandatory meeting as part of the process, and now the City is presenting the agreement to the Council so that funds can be awarded. McKim stated that the City will receive \$228,834 dollars, requiring a twenty percent match from the City of \$66,602.

Mayor Newton asked if the matching money was already budgeted.

McKim stated that it will be budgeted for fiscal year 2008. McKim said that the project is anticipated to be completed in 2008, but that the City is allowed a generous timeline in case of obstacles. The total cost of the project is \$295,000, and the City will pay back twenty percent.

The motion carried by the following vote: Mayor Newton – aye; Council Members: Mayer – aye; McCord – aye; Rodgerson – aye; Rowe – aye. Nays – none.

BILL NO 2007-42 **[Ordinance No. 11808]**
AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING A LOT SPLIT OF A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 62 NORTH, RANGE 15 WEST, OF KIRKSVILLE, MISSOURI, OTHERWISE KNOWN AS 810 W. SHEPHERD AVENUE.

Council Member Rodgerson moved to approve Bill No. 2007-42; seconded by Council Member Rowe.

Code Administrator, Brad Selby, stated that this lot split is very straight forward lot split. Selby said that Steve Taylor is a developer and owns a tract of land at 810 W. Shepherd where he intends to build single-family homes. The lot conforms to subdivision and zoning ordinances, and there would be no City monies expended. Therefore, the City Staff recommended its approval.

The motion carried by the following vote: Mayor Newton – aye; Council Members: Mayer – aye; McCord – aye; Rodgerson – aye; Rowe – aye. Nays – none.

BILL NO 2007-43 **[Ordinance No. 11809]**
AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING A MINOR SUBDIVISION OF PART OF LOTS 2 AND 3 IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 62 NORTH, RANGE 15 WEST, CITY OF KIRKSVILLE, AND OTHERWISE KNOWN AS 1502 E. NORTHTOWN ROAD, AND THE DEDICATION OF A NEW CITY STREET, PULLIAM LANE.

Council Member Rowe moved to approve Bill No. 2007-43; seconded by Council Member McCord.

Selby explained that this property is owned by Don and Loretta Maples. The Maples' own a large tract of land at the end of Northtown Road, and they would like to subdivide their

property into four tracts of land. Selby stated that access to the property was a problem, but the City found that there is a County road that had not been recognized as such when the property was annexed. The County informed the City that the road had been accepted by the County as a street and upon annexation by the City, it became a City street. Selby said that the street has been given the name of Pulliam Lane. Selby stated that Pulliam Lane is a rock street that the staff does not anticipate improvements to the street other than a stop sign and a street sign. Selby said that the subdivision of the land required there be a City street on one side of each lot for frontage. If the Council accepts the proposal there will now be frontage on this City street. Hard surface went to the point of the last house, and did not extend to property line. Selby pointed out the recommendations in the ordinance and on the plat for lots two and four, and said the Staff recommended the approval of the lot split and the acceptance of Pulliam Lane.

Council Member Mayer asked if the property owners surrounding the lot have an issue with the split.

City Manager Macomber stated that a public hearing was not required for this lot split, and that the owners had met the regulations and requirements.

The motion carried by the following vote: Mayor Newton – aye; Council Members: Mayer – aye; McCord – aye; Rodgerson – aye; Rowe – aye. Nays – none.

BILL NO. 2007-44 **[Ordinance No. 11810]**
AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING A LOT SPLIT OF PART OF THE NW ¼, NE1/4, SEC. 10, T62N, R15W, OF THE CITY OF KIRKSVILLE, MISSOURI, IN OR NEAR THE 1700 BLOCK OF E. ILLINOIS STREET.

Council Member Rodgerson moved to approve Bill No. 2007-44; seconded by Council Member Mayer.

Selby explained that this tract of land is just east of the Ameren UE Substation on Highway 11 East. Selby said that this lot belongs to Samuel and Maureen Pfeiffer. Selby stated that the Pfeiffer's have been asked by Ameren UE to sell a little over an acre of land so that Ameren can expand and improve the substation. Selby said it is a straight forward lot split, and no other City services will be needed.

The motion carried by the following vote: Mayor Newton – aye; Council Members: Mayer – aye; McCord – aye; Rodgerson – aye; Rowe – aye. Nays – none.

Naegler Oil Co. Agreement

Council Member Mayer moved to approve the City to enter into an agreement for the purchase of fuel for the Kirksville Regional Airport from Naegler Oil Co. Inc. (Naegler Oil); seconded by Council Member McCord.

Finance Director, Laura Guy, explained that this agreement is for the purchase of Airport fuel. Guy said that Naefler Oil is a Connoco Phillips approved supplier out of Springfield, MO. Guy said that she believes they have been timely and that the City has had good luck with the fuel that they have delivered so far. Guy recommended approval

Macomber advised the Council that the City had no prior agreement and that it would be good to protect the City if payments are not made in a timely manner.

The motion carried by the following vote: Mayor Newton – aye; Council Members: Mayer – aye; McCord – aye; Rodgerson – aye; Rowe – aye. Nays – none.

Jefferson Street Improvements—Agreement

Council Member McCord moved to authorize the City Manager to sign an agreement with Trabue, Hansen, & Hinshaw, Inc., of Columbia, Missouri for professional design services for Jefferson Street Improvements; seconded by Council Member Rodgerson.

Public Works Director, John Buckwalter, stated that the agreement would have Trabue, Hansen, & Hinshaw prepare the preliminary plans, final plans and the bidding documents for the improvements to Jefferson Street. Buckwalter stated that the City interviewed four firms, and that out of the seven applicants that submitted proposals for the job the Staff believed TH&H was the best qualified firm for this job. Buckwalter pointed out that this firm has had a good track record with City over the years. Buckwalter said that the proposed cost of the contract would be a sum not to exceed \$35,628, and that it would be paid jointly by the Transportation Sales Tax Fund and the Downtown TIF. Buckwalter stated that TH&H are prepared to begin work as soon as the agreement is approved.

Macomber asked if Buckwalter had spoken with TH&H regarding the changes the Council discussed on Elson Street.

Buckwalter said that yes he had already spoken with them.

Council Member Rodgerson inquired as to how long the planning phase will last.

Buckwalter stated that the staff expects to have the plan's final design completed by the end of the year, and have it reviewed and ready to bid by February to start work in April.

The motion carried by the following vote: Mayor Newton – aye; Council Members: Mayer – aye; McCord – aye; Rodgerson – aye; Rowe – aye. Nays – none.

Osteopathy Street Change Order

Council Member Rowe moved to approve a change order to the agreement with W.L. Miller Company, Inc., Hamilton, Illinois in the amount of \$89,728.89 for the reconstruction of Osteopathy Street; seconded by Council Member Mayer.

John Buckwalter said that the Osteopathy Street Project is nearing completion, and that there are some changes that need to be made to the Project. Some have been made and the City now needs the Council's approval to pay for them. Buckwalter explained that there was approximately three hundred feet of the project that the City had anticipated milling and overlaying it, but when they got into that section they found the base was not satisfactory. Buckwalter said that part of the street had to be reconstructed causing a significant additional expense. Buckwalter also explained that on storm drainage they ran into several problems with interference between existing utilities. The storm drainage system had to be adjusted, incurring an additional expense for increased depth on the installation of the pipeline. Buckwalter said that the bid was for a typical four to six foot bury, and in some places it varied as much as eighteen feet. A number of storm drains had to be adjusted to be deeper as well. Buckwalter asked that the Council give permission to install a headwall at the inlet of the double sixty inch culvert in the ditch just below Washington. Buckwalter said that the original design did not include a headwall, and it will work without it, but from a safety and

longevity standpoint the Staff recommends adding it. The headwall will be in a twenty foot deep ditch and will prevent erosion and stabilize the slopes of the ditch to improve flow.

Council Member McCord had a concern as to the amount of the change order.

Buckwalter said that the combination of this change order and a previous one comes to ten percent of the project cost. Considering the fact that this was a reconstruction project with a number of unknown conditions, Buckwalter does not find the dollar amount unreasonable. Buckwalter stated that the final change order will be brought to the Council after the last bit of asphalt is laid. Buckwalter also added that he anticipates the last change order to be very small, or even in the City's favor, so this should be the last significant expense added to this project.

The motion carried by the following vote: Mayor Newton – aye; Council Members: Mayer – aye; McCord – aye; Rodgerson – aye; Rowe – aye. Nays – none.

Rock Salt Bid

Council Member Rowe moved to approve the purchase of up to 1000 tons of rock salt for winter road maintenance from Ren Potterfield Trucking, Inc., of Monroe City, Missouri at a cost of \$45.25 per ton; seconded by Council Member Rodgerson.

John Buckwalter explained that the City has an annual contract for rock salt in treatment of ice and snow removal. Buckwalter said that the City has four hundred tons of rock salt on hand from last year, but that they need to restock for the winter. The City solicited bids from five firms which normally provide salt, and the City only received two bids. Buckwalter said that Potterfield bid \$45.25 per ton, and State Line Salt and Equipment bid \$67.95 per ton for salt delivered. Buckwalter stated that last year the City paid \$42.05, and the Staff recommends awarding the bid to Potterfield. Buckwalter reminded the Council that the City only pays for the salt that is ordered and received, and that based on previous years the Staff is hopeful that one thousand ton will carry them through the winter.

The motion carried by the following vote: Mayor Newton – aye; Council Members: Mayer – aye; McCord – aye; Rodgerson – aye; Rowe – aye. Nays – none.

Liquor License—Randall R. Forquer II d/b/a Opies Pool Hall

Council Member McCord moved to approve the liquor license for Randall R. Forquer II d/b/a Opies Pool Hall, which will be contingent upon the City business license being obtained prior to opening; seconded by Council Member Rowe.

Laura Guy explained that this is a new business located at 119 and 121 Main Street; previously Main Street Billiards. Guy stated that Randy Forquer is opening a new business and has requested a liquor license for the sale of malt beverage not to exceed five percent by the drink. Forquer has filed the required application and proper fees and the State Liquor Control Board will review his application if the Council approves it.

The motion carried by the following vote: Mayor Newton – aye; Council Members: Mayer – aye; McCord – aye; Rodgerson – nay; Rowe – aye. Ayes – four; Nays – one.

Second Reading

BILL NO. 2007-41

[ORDINANCE NO. 11807]

AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, AUTHORIZING THE

MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF KIRKSVILLE AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR TRANSPORTATION ENHANCEMENT FUNDS.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KIRKSVILLE, MISSOURI, AS FOLLOWS:

SECTION 1:

That the Mayor is hereby authorized to execute, on behalf of the City of Kirksville, a contract with the Missouri Highways and Transportation Commission providing for funds for transportation enhancement activities.

SECTION 2:

That all ordinances or parts of ordinances therefore enacted which are in conflict herewith are hereby repealed.

SECTION 3:

This ordinance shall be in full force and effect from and after the date of its passage and approval.

BILL NO 2007-42 **[Ordinance No. 11808]**
AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING A LOT SPLIT OF A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 62 NORTH, RANGE 15 WEST, OF KIRKSVILLE, MISSOURI, OTHERWISE KNOWN AS 810 W. SHEPHERD AVENUE.

BE IT ORDAINED by the City Council of the City of Kirksville, Missouri as follows:

WHEREAS, a tract of land located at 810 W. Shepherd Avenue, is proposed to be subdivided into two (2) tracts of land within the City of Kirksville, Missouri, described herein, and is incorporated herein by reference, and has been regularly certified by Edward Cleaver, licensed surveyor number L.S. 1241, and

WHEREAS, the plat of land is described as follows:

TRACT 1: A tract of land situated in the Southeast Quarter of Section 17, Township 62 North, Range 15 West, Adair County, Missouri and being more particularly described as follows: Commencing at the Southeast corner of said Section 17; thence along the Section line, North 89 degrees 48 minutes 44 seconds West, a distance of 522.58 feet; thence leaving the last described line, North 0 degrees 29 minutes 27 seconds West, a distance of 29.70 feet to a point on the North right of way line of Shepherd Avenue; thence along said right of way line, North 89 degrees 48 minutes 44 seconds West, a distance of 70.56 feet to the POINT OF BEGINNING of the description herein; TO WIT: thence continuing, North 89 degrees 48 minutes 44 seconds West, a distance of 70.56 feet; thence leaving the last described line, along the Easterly line of Weatherstone Subdivision, North 0 degrees 08 minutes 58 seconds East, a distance of 153.28 feet; thence leaving the last described line, South

87 degrees 33 minutes 02 seconds East, a distance of 69.79 feet; thence South 0 degrees 09 minutes 59 seconds East, a distance of 150.54 feet to the point of beginning; said described tract containing 0.2 acre, more or less. Subject to any and all easements of record.

TRACT 2: A tract of land situated in the Southeast Quarter of Section 17, Township 62 North, Range 15 West, Adair County, Missouri and being more particularly described as follows: Commencing at the Southeast corner of said Section 17; thence along the Section line, North 89 degrees 48 minutes 44 seconds West, a distance of 522.58 feet; thence leaving the last described line, North 0 degrees 29 minutes 27 seconds West, a distance of 29.70 feet to a point on the North right of way line of Shepherd Avenue, said point being the POINT OF BEGINNING of the description herein; TO WIT: thence along said right of way line, North 89 degrees 48 minutes 44 seconds West, a distance of 70.56 feet; thence leaving the last described line, North 0 degrees 09 minutes 59 seconds West, a distance of 150.54 feet; thence South 87 degrees 33 minutes 02 seconds East, a distance of 69.79 feet; thence South 0 degrees 29 minutes 27 seconds East, a distance of 147.80 feet to the point of beginning; said described tract containing 0.2 acre, more or less. Subject to any and all easements of record, and

WHEREAS, the “Plat” shall be recorded in the Recorder’s Office of Adair County, Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF KIRKSVILLE, MISSOURI, AS FOLLOWS:

That the lot split for the tract of land located at 810 W. Shepherd Avenue is hereby approved, and the same is made an addition to the City of Kirksville, Missouri, and the portions thereof dedicated to the public are hereby accepted.

BILL NO 2007-43 **[Ordinance No. 11809]**
AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING A MINOR SUBDIVISION OF PART OF LOTS 2 AND 3 IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 62 NORTH, RANGE 15 WEST, CITY OF KIRKSVILLE, AND OTHERWISE KNOWN AS 1502 E. NORTHTOWN ROAD, AND THE DEDICATION OF A NEW CITY STREET, PULLIAM LANE.

BE IT ORDAINED by the City Council of the City of Kirksville, Missouri as follows:

WHEREAS, a tract of land located in the 1500 block of Northtown Road within the City of Kirksville, Missouri, is proposed to be subdivided into four (4) tracts of land, described herein, and is incorporated herein by reference, and has been regularly certified by Edward Cleaver, licensed surveyor number L.S. 1241, and

WHEREAS, the plat of land is described as follows:

A tract of land being part of Lots 2 and 3 in the Northwest Quarter of Section 3, Township 62 North, Range 15 West, City of Kirksville in Adair County, Missouri and being more particularly described as follows:

Commencing at the Northeast corner of said Lot 3; thence South 89 degrees 19 minutes West a distance of 1223.67 feet; thence due South 25.00 feet to the POINT OF BEGINNING of the description herein, TO WIT: thence South 00 degrees 06 minutes East a distance of 507.56 feet; thence South 47 degrees 44 minutes East a distance of 118.56 feet; thence South – degrees 08 minutes East a distance of 717.32 feet; thence South 89 degrees 19 minutes West a distance of 583.59 feet; thence North 30 degrees 34 minutes West a distance of 242.15 feet to the center of a manhole; thence North 00 degrees 42 minutes West a distance of 198.21 feet to the center of a manhole; thence North 29 degrees 59 minutes West a distance of 322.28 feet to the center of a manhole; thence North 09 degrees 43 minutes West a distance of 180.92 feet to the center of a manhole; thence North 09 degrees 49 minutes East a distance of 384.31 feet to the center of a manhole; thence North 25 degrees 33 minutes West a distance of 65.94 feet to the South line of Northtown Road; thence along said South line North 89 degrees 19 minutes East a distance of 773.31 feet to the Point of Beginning, containing 22.6 acres more or less. Subject to any and all easements of record, and

WHEREAS, a new City street, hereafter called Pulliam Lane, which provides access to parts of this new Minor Subdivision, has been accepted by the City of Kirksville as a public street, and

WHEREAS, lot #4 of the proposed Minor Subdivision has a street right of way currently providing access to this lot, the hard surface street does not extend to the property line. Any owner/developer will be responsible for constructing any hard surface street to this property line. Any street and culvert/bridge constructed must meet city specifications. The City of Kirksville will not expend monies for the hard surface extension of this dead end street, and

WHEREAS, the “Plat” shall be recorded in the Recorder’s Office of Adair County, Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF KIRKSVILLE, MISSOURI, AS FOLLOWS:

That the tract of land located in the 1500 block of East Northtown Road is hereby approved, the new City street called Pulliam Lane is hereby approved, and the same is made an addition to the City of Kirksville, Missouri, and the portions thereof dedicated to the public are hereby accepted.

BILL NO. 2007-44 **[Ordinance No. 11810]**
AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING A LOT SPLIT OF PART OF THE NW ¼, NE1/4, SEC. 10, T62N, R15W, OF THE CITY OF KIRKSVILLE, MISSOURI, IN OR NEAR THE 1700 BLOCK OF E. ILLINOIS STREET.

BE IT ORDAINED by the City Council of the City of Kirksville, Missouri as follows:

WHEREAS, a tract of land located on or near the 1700 block of E. Illinois Street is proposed to be subdivided into two (2) tracts of land within the City of Kirksville, Missouri, described herein, and is incorporated herein by reference, and has been regularly certified by Keith M. Brickey, licensed surveyor number L.S. 2578, and

WHEREAS, the plat of land is described as follows:

Part of the Northwest Quarter of the Northeast Quarter of Section 10, Township 62 North, Range 15 West, of Kirksville, Adair County, Missouri, more particularly described as follows:

From the northeast corner of said Section 10; thence S 88 degrees 06' 35"W, 2487.17 feet to the POINT OF BEGINNING for this description; thence S 0 degrees 18' 55"E, 395.86 feet to a point on the northerly right-of-way of the Burlington Northern Railroad; thence N 62 degrees 11' 29"W, along the northerly line of said railroad right-of-way, 169.74 feet to the southeast corner of a tract described by deed of record in Book 149, page 538, Adair County Recorder's Office also being a point on the Quarter Section Line; thence N 0 degrees 18' 55"W, along the easterly line of said tract and along the Quarter Section Line, 325.31 feet to a point on the southerly line of Route 11, 150.00 feet to the point of beginning. Containing 1.24 acres.

WHEREAS, the "Plat" shall be recorded in the Recorder's Office of Adair County, Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF KIRKSVILLE, MISSOURI, AS FOLLOWS:

That the lot split for a tract of land located in or near the 1700 block of East Illinois street is hereby approved, and the same is made an addition to the City of Kirksville, Missouri, and the portions thereof dedicated to the public are hereby accepted.

Councilmember McCord moved to adopt Bill No. 2007-41, 2007-42, 2007-43 and 2007-44 on second reading; seconded by Councilmember Rowe. The motion carried by the following vote: Mayor Newton – aye; Council Members: Mayer – aye; McCord – aye; Rodgerson – aye; Rowe – aye. Nays – none.

Council Comments

Council Member Mayer said that in the last several months he has asked several specific questions during the Council meetings, and Mayer said that he has been extremely impressed that the City Staff members have the facts at hand beyond their presentation.

City Manager Macomber thanked Council Member Mayer for his comment. Macomber said that it is nice to know that the answers are available when needed.

Adjournment

Councilmember Rodgerson moved to adjourn to Council Retreat; seconded by Councilmember Mayer. The motion carried by the following vote: Mayor Newton – aye; Council Members: Mayer – aye; McCord – aye; Rodgerson – aye; Rowe – aye. Nays – none.

Mayor Newton adjourned the meeting to Council Retreat at 6:15p.m.

Sarah Halstead
Deputy City Clerk