

# JOURNAL OF THE CITY COUNCIL *Special Session*—January 23, 2006

## COUNCIL & STAFF PRESENT:

Martha Rowe	Mayor
Tim Crist	Mayor Pro Tem
Ralph Cupelli	Councilmember (by telephone)
Jeff Newton	Councilmember
Howard Hickman	City Attorney
Mari Macomber	City Manager
Vickie Brumbaugh	City Clerk
Steve Bell	Community Services Director
Paul Frazier	Code Administrator
Kris McKim	Assistant City Manager

The City Council of the City of Kirksville, Missouri, met in a Special Session on Monday, January 23, 2006, at 5:00 p.m. in the City Hall Council Chambers.

Councilmember Cupelli was out of town and participated in the meeting by telephone.

## **ORDER OF THE AGENDA**

Boy Scout Troop 26 was scheduled for the January 16<sup>th</sup> regular Council meeting, but were unable to be there and requested to lead the Pledge of Allegiance at the Special meeting of January 23. There was a general consensus of the Council to add the Pledge of Allegiance to the agenda.

## **PLEDGE OF ALLEGIANCE**

Boy Scout Troop 26, and leader Burt Beard, led the Pledge of Allegiance.

## **ACTION PRESENTATIONS**

BILL NO. 2006-01

ORDINANCE NO. 11742

AN ORDINANCE IMPOSING A CITY SALES TAX FOR LOCAL PARKS AND RECREATION SERVICES IN THE CITY OF KIRKSVILLE, MISSOURI, AND PROVIDING FOR SUCH ORDINANCE TO BE SUBMITTED TO THE QUALIFIED VOTERS OF THE CITY.

Mayor Pro Tem Crist moved to adopt Bill No. 2006-01 on first reading; seconded by Councilmember Newton.

City Manager Macomber reported that citizens have asked on a regular basis for more recreational services. The ¼ cent sales tax would provide the funding for additional amenities such as baseball/softball field lighting, construction of soccer fields, trails, a new slide at the pool and a climbing wall, construction of a community room, and funding to support the aquatic center, including day-to-day recreational service operations. The tax will run until September 30, 2012.

Councilmember Cupelli said that he had expressed in a study session that the words “and improvements” be added after baseball/softball field lighting within the ballot question.

Councilmember Cupelli moved to amend Bill No. 2006-01 to include the wording in the ballot language to include “and improvements” after baseball/softball field lighting. The motion was seconded by Mayor Pro Tem Crist.

The motion to amend Bill No. 2006-01 carried by the following roll call vote: Mayor Rowe, aye;

Mayor Pro Tem Crist, aye; Councilmember Cupelli, aye; Councilmember Newton, aye. Nays, none.

The motion to adopt Bill No. 2006-01, as amended, carried by the following roll call vote: Mayor Rowe, aye; Mayor Pro Tem Crist, aye; Councilmember Cupelli, aye; Councilmember Newton, aye. Nays, none.

**Liquor License – The Locker Room (formerly Stagecoach Pizza)**

Mayor Pro Tem Crist moved to approve a sale of intoxicating liquor by the drink license to The Locker Room; seconded by Councilmember Newton. The motion carried by the following vote: Mayor Rowe, aye; Mayor Pro Tem Crist, aye; Councilmember Cupelli, aye; Councilmember Newton, aye. Nays, none.

**Second Reading**

BILL NO. 2006-01

ORDINANCE NO. 11742

AN ORDINANCE IMPOSING A CITY SALES TAX FOR LOCAL PARKS AND RECREATION SERVICES IN THE CITY OF KIRKSVILLE, MISSOURI, AND PROVIDING FOR SUCH ORDINANCE TO BE SUBMITTED TO THE QUALIFIED VOTERS OF THE CITY.

WHEREAS, the Council of the City of Kirksville, Missouri, under the authority of powers given to the City by the provisions of Section 644.032 to 644.033, inclusive RSMo (the "Act"), has determined that it is in the best interests of the City to impose a city sales tax for local parks and recreation services at the rate of one-quarter of one percent (1/4 of 1%) on the receipts from all retail sales within the City which are subject to taxation under Sections 144.010 to 144.525, inclusive, RSMo., said tax to be collected beginning October 1, 2006, and ending September 30, 2012.

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

Section 1. A city sales tax for local parks and recreation services at the rate of one-quarter of one percent (1/4 of 1%) on the receipts from all retail sales within the City of Kirksville, Missouri, is hereby imposed upon all sellers within the City for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided by Sections 144.010 to 144.525, inclusive, RSMo, and the rules and regulations of the Director of Revenue of the State of Missouri issued pursuant thereto. Such tax shall not be effective until there has been compliance with the terms and provisions of this Ordinance and shall be collected beginning October 1, 2006, and ending September 30, 2012.

Section 2. This Ordinance shall be submitted to the voters of Kirksville, Missouri, at an election to be held in the City concurrently with the municipal election on Tuesday, April 4. The City Clerk is hereby authorized and directed to notify the County Clerk of Adair County, Missouri, of the passage of this Ordinance no later than 5:00 p.m. on Tuesday, January 24, 2006, and to include in said notification all of the terms and provisions required by Chapter 115, RSMo.

Section 3. If this Ordinance is approved by a majority of the votes cast by the qualified voters voting thereon at said election, the City Clerk shall as soon as possible after the election date, but in any event no later than ten (10) days after the election date, forward to the Director of Revenue of the State of Missouri by United States registered mail or certified mail: (1) a certified copy of this Ordinance, and (2) a copy of the abstract of votes cast on the question at said election. The city sales tax for local parks and recreation services hereby imposed shall then become effective on the first day of October 1, 2006, and shall be levied and collected in the manner provided by the Act, by

Sections 32.085 and 32.087, RSMo, as amended, and by all other applicable laws, and shall be used for the purposes hereinabove authorized.

Section 4. That the ballot to be used at said election shall be in substantially the following form:

Shall the municipality of Kirksville impose a sales tax of one-quarter of one percent beginning October 1, 2006 and ending September 30, 2012 for the purpose of funding local parks and recreation services pursuant to the plans outlined in the Adair/Kirksville Community Strategic Plan for the City of Kirksville? Improvements shall include, but not be limited to: construction of soccer fields, baseball/softball field lighting and improvements, trails, a community room and other recreational services, including maintenance and programming.

† Yes            †No

Section 5. The Kirksville City Code, Chapter 23, Taxation, shall be amended accordingly upon approval by a simple majority vote of the City voters at an election to be held on April 4, 2006.

Mayor Pro Tem Crist moved to adopt Bill No. 2006-01 on second reading; seconded by Councilmember Cupelli. The motion carried by the following vote: Mayor Rowe, aye; Mayor Pro Tem Crist, aye; Councilmember Cupelli, aye; Councilmember Newton, aye. Nays, none.

**ADJOURNMENT**

There being no further business to come before the Council, Mayor Pro Tem Crist moved to adjourn to a Study Session; seconded by Councilmember Newton. The motion carried by the following vote: Mayor Rowe, aye; Mayor Pro Tem Crist, aye; Councilmember Cupelli, aye; Councilmember Newton, aye. Nays, none.

Mayor Rowe adjourned the meeting at 5:15 p.m.

Vickie Brumbaugh, CMC, MRCC