

COUNCIL & STAFF PRESENT:

Martha Rowe	Mayor
Jeff Newton	Councilmember
Tim Crist	Councilmember
Jill McCord	Councilmember
Howard Hickman	City Attorney
Mari E. Macomber	City Manager
Vickie Brumbaugh	City Clerk
Steve Bell	Community Services Director
Laura Guy	Finance Director
Jim Hughes	Police Chief

ABSENT: Dale Blesz Councilmember

The City Council of the City of Kirksville, Missouri, met in a Regular Session on Wednesday, December 6, 2006, at 5:30 p.m. in the City Hall Council Chambers.

INVOCATION/PLEDGE

Boy Scout Troop 404 led the Pledge of Allegiance.

MINUTES

Councilmember Newton moved to approve the minutes of the regular session of November 15, 2006; seconded by Councilmember Crist. The motion carried by the following vote: Mayor Rowe - aye; Council members: Newton - aye; Crist - aye; McCord - aye; Blesz - absent. Nays - none.

ORDER OF AGENDA

City Manager Macomber announced the addition of Item I – A motion to approve an agreement with Bucher, Willis, Ratliff for engineering services at the airport.

Councilmember Crist moved to approve the order of the agenda; seconded by Councilmember Newton. The motion carried by the following vote: Mayor Rowe - aye; Council members: Newton - aye; Crist - aye; McCord - aye; Blesz - absent. Nays - none.

PUBLIC HEARING

Mayor Rowe opened the Public Hearing at 5:31 pm to hear citizen comments regarding the 2007 proposed budget.

Finance Director Laura Guy explained that the ordinance will be read on first reading at this meeting. The Council and staff have worked out a budget of \$24,479,627. Twenty percent of the budget is for police, fire and street services; 18% for water and sewer accounts; 35% for capital replacement; 6% for internal services of the central garage and self-insured medical and dental plans. The budget includes E911 operations and the Highway 63 sales tax. The remaining 15% is for administrative services, recreation, KREDI support, north park and downtown improvements. The proposed budget has

been available for public inspection, and a couple of people have viewed it with no comments.

City Manager Macomber explained that the minimum wage election had not occurred when the budget was being put together. The Aquatic Center is the only area affected by the minimum wage. That amount will be incorporated, but there will not be an increase in the budget. Mileage for travel is currently 38.5 cents. The state is 45.5 cents, and Federal is 48.5 cents. She said that if the Council is interested in changing the amount, she suggested not going any higher than the state. If the Council chooses to do so, the budget would not be increased.

Council consensus was to approve increasing the mileage to 45.5 cents, the same as the state amount.

There being no comments from the audience, Mayor Rowe closed the public hearing at 5:40 p.m.

CITIZEN PARTICIPATION

None.

ACTION PRESENTATIONS

BILL NO. 2006-41

AN ORDINANCE APPROPRIATING FROM THE REVENUE OF THE CITY OF KIRKSVILLE, MISSOURI, EXPENDITURES IN ACCORDANCE WITH THE FISCAL YEAR 2007 BUDGET OF THE CITY OF KIRKSVILLE, MISSOURI AND PROVIDING FOR ADJUSTMENTS THERETO.

Councilmember Crist moved to adopt Bill No. 2006-41 on first reading; seconded by Councilmember Newton. The motion carried by the following vote: Mayor Rowe - aye; Council members: Newton - aye; Crist - aye; McCord - aye; Blesz - absent. Nays - none.

BILL NO. 2006-42

ORDINANCE NO. 11779

AN ORDINANCE AMENDING ORDINANCE NO. 11748, APPROPRIATING FROM THE REVENUE OF THE CITY OF KIRKSVILLE, MISSOURI, EXPENDITURES IN ACCORDANCE WITH THE 2006 BUDGET OF THE CITY OF KIRKSVILLE, MISSOURI AND PROVIDING FOR ADJUSTMENTS THERETO.

Councilmember Newton moved to adopt Bill No. 2006-42 on first reading; seconded by Councilmember McCord.

Laura Guy outlined some of the funds that were revised during the year such as the Downtown Tax Increment Financing expenditures for the infrastructure projects. A major one was the \$1.5 million from the CDBG loan for Commercial Envelope.

The motion carried by the following vote: Mayor Rowe - aye; Council members: Newton - aye; Crist - aye; McCord - aye; Blesz - absent. Nays - none.

BILL NO. 2006-43

ORDINANCE NO. 11780

AN ORDINANCE TO RESCIND ORDINANCE NO. 11736 OPTING OUT OF THE STATE IMPOSED SALES TAX HOLIDAY.

Councilmember Newton moved to adopt Bill No. 2006-43 on first reading; seconded by Councilmember Crist.

Laura Guy reported that the City has opted out of the sales tax holiday for the past two years, and there has not been an increase in sales tax collections. The Council has asked to experiment by opting in during the August 2007 sales to see if there is an increase in revenue. The Council can make the decision after that time to opt in or out.

The motion carried by the following vote: Mayor Rowe - aye; Council members: Newton - aye; Crist - aye; McCord - aye; Blesz - absent. Nays - none.

BILL NO. 2006-44

ORDINANCE NO. 11781

AN ORDINANCE TO PLACE ON THE ELECTION BALLOT OF APRIL 3, 2007, THE QUESTION OF WHETHER TO CONTINUE TO IMPOSE A ONE-FOURTH (1/4) CENT CAPITAL IMPROVEMENT SALES TAX AFTER SEPTEMBER 30, 2007 ON ALL RETAIL SALES MADE IN THE CITY OF KIRKSVILLE, MISSOURI, WHICH ARE SUBJECT TO TAXATION UNDER SECTIONS 144.010 TO 144.525, INCLUSIVE, OF THE REVISED STATUTES OF THE STATE OF MISSOURI FOR THE PURPOSE OF FUNDING CAPITAL IMPROVEMENT, INCLUDING THE OPERATION OF CAPITAL IMPROVEMENT OR THE RETIREMENT OF DEBT UNDER PREVIOUSLY AUTHORIZED BONDED INDEBTEDNESS

Councilmember McCord moved to adopt Bill No. 2006-44 on first reading; seconded by Councilmember Crist.

City Manager Macomber reported the City has had a Capital Improvement sales tax since 1992. If the question to continue this tax is not on the April 2007 ballot, the tax will expire in September of 2007. The tax rate will not change, and is estimated to generate \$578,000 per year. The City would use the funds for equipment and capital projects including a ladder truck, police cars, street work equipment, codes and engineering vehicles, storm drainage, recreation improvements, sidewalk replacement, trails, housing rehab and demolition, airport capital and city facility maintenance.

The motion carried by the following vote: Mayor Rowe - aye; Council members: Newton - aye; Crist - aye; McCord - aye; Blesz - absent. Nays - none.

Airport Terminal Lease with Mesa Air Group

Councilmember Crist moved to authorize the City Manager to execute an Airport Terminal lease with Mesa Air Group; seconded by Councilmember McCord.

Steve Bell explained that the new carrier will pay the same monthly lease amount of \$700, as the previous air service and the lease is the same.

The motion carried by the following vote: Mayor Rowe - aye; Council members: Newton - aye; Crist - aye; McCord - aye; Blesz - absent. Nays - none.

Forest Lake use for Bass Tournament

Councilmember Crist moved to approve the use of Forest Lake for the South Central Iowa Bass Club Tournament; seconded by Councilmember Newton.

Jim Hughes reported that the group wishes to advertise their tournament as they conduct their tour, the reason for the early request.

The motion carried by the following vote: Mayor Rowe - aye; Council members: Newton - aye; Crist - aye; McCord - aye; Blesz - absent. Nays - none.

Committee/Board Appointments

Councilmember Crist moved to appoint Robert Baer to fill an unexpired term on the Telecommunications Commission, and appoint Martha Rowe to the Adair County Extension Council; seconded by Councilmember McCord. The motion carried by the following vote: Mayor Rowe - aye; Council members: Newton - aye; Crist - aye; McCord - aye; Blesz - absent. Nays - none.

Second Reading of Ordinances

BILL NO. 2006-42

ORDINANCE NO. 11779

AN ORDINANCE AMENDING ORDINANCE NO. 11748, APPROPRIATING FROM THE REVENUE OF THE CITY OF KIRKSVILLE, MISSOURI, EXPENDITURES IN ACCORDANCE WITH THE 2006 BUDGET OF THE CITY OF KIRKSVILLE, MISSOURI AND PROVIDING FOR ADJUSTMENTS THERETO.

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

SECTION 1. That Section 1 of Ordinance No. 11748 be amended to read: The Annual Budget of the City of Kirksville, Missouri, aggregating \$24,216,725, for the fiscal year commencing January 1, 2006 and ending December 31, 2006, as submitted by the City Manager and incorporated herein by reference as is fully set out in this ordinance, is hereby approved.

SECTION 2. Revisions to the original budget for the funding of the projects or expenditures necessitating increases or decreases in the individual funds as so described on the attached Budget Amendment Summary are approved.

BILL NO. 2006-43

ORDINANCE NO. 11780

AN ORDINANCE TO RESCIND ORDINANCE NO. 11736 OPTING OUT OF THE STATE IMPOSED SALES TAX HOLIDAY.

WHEREAS, on December 5, 2005, the City Council unanimously voted for the City of Kirksville to opt out of the state’s annual “sales tax holiday” set for the first weekend in August, and

WHEREAS, it has been decided to participate in the August 2007 sales tax holiday to determine the effect on municipal revenues, and

WHEREAS, the results of the August 2007 sales tax collections will determine whether to continue participation or to opt back out of the sales tax holiday.

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

SECTION ONE: The City of Kirksville hereby determines that it will allow the provisions of Section 144.049 RSMo., to exempt sales of certain clothing, personal computers, certain computer software and school supplies that occur within the boundaries of said City beginning at 12:01 a.m. on the first Friday in August and ending at midnight on the Sunday following, from local sales taxes.

SECTION TWO: The City Clerk is hereby directed to send written notice to the State of Missouri Department of Revenue as soon as possible, but no later than 45 calendar days prior to the August 2007 sales tax holiday, of the decision to opt in to the "sales tax holiday," by forwarding a cover letter and certified copy of this ordinance.

SECTION THREE: This ordinance shall be in full force and effect from and after its date of passage.

READ TWO TIMES, ADOPTED AND APPROVED by the City Council of the City of Kirksville, Missouri, and signed by the Mayor this 6th day of December, 2006.

BILL NO. 2006-44

ORDINANCE NO. 11781

AN ORDINANCE TO PLACE ON THE ELECTION BALLOT OF APRIL 3, 2007, THE QUESTION OF WHETHER TO CONTINUE TO IMPOSE A ONE-FOURTH (1/4) CENT CAPITAL IMPROVEMENT SALES TAX AFTER SEPTEMBER 30, 2007 ON ALL RETAIL SALES MADE IN THE CITY OF KIRKSVILLE, MISSOURI, WHICH ARE SUBJECT TO TAXATION UNDER SECTIONS 144.010 TO 144.525, INCLUSIVE, OF THE REVISED STATUTES OF THE STATE OF MISSOURI FOR THE PURPOSE OF FUNDING CAPITAL IMPROVEMENT, INCLUDING THE OPERATION OF CAPITAL IMPROVEMENT OR THE RETIREMENT OF DEBT UNDER PREVIOUSLY AUTHORIZED BONDED INDEBTEDNESS.

WHEREAS, the City of Kirksville, Missouri did previously take to the voters in April 1992, the question to impose a one-fourth cent capital improvements sales tax, and the voters did approve a one-fourth cent capital improvement sales tax: and in April 1996 and April 2002, the voters did approve the continuance of a one-fourth cent capital improvement sales tax,. For the purpose of funding capital improvements including the operation of capital improvements or the retirement of debt under previously authorized bonded indebtedness; and

WHEREAS, the City Council of the City of Kirksville, Missouri, is empowered to extend this tax by Section 94.577, RSMo.; and

WHEREAS, said sales tax is due to terminate on the 30th date of September 2007; and

WHEREAS, said sales tax may be continued after the date of September 30, 2007, subject to approval by a majority of qualified voters.

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

Section 1. A sales tax of one-fourth of one percent shall hereby continue to be imposed upon all retail sales in the City subject to taxation under RSMo., Sections 144.010 to 144.525, inclusive. The amount reported and returned to the Director of Revenue shall continue to be computed on the basis of the combined rate of the tax imposed by Section 94.577, and the tax imposed by this Ordinance, plus any amounts imposed by other provisions of the law.

Section 2. All revenues received by the City from the sales tax imposed herein shall continue to be deposited in a special trust fund and shall be used solely for the purposes stated herein if approved by the voters of the City at an election to be held the 3rd day of April, 2007.

Section 3. The sales tax imposed herein, if approved by the voters as provided for herein, shall continue until such time as it is repealed by voters of the City.

Section 4. An election is hereby ordered to be held in the City on the 3rd day of April, 2007, after appropriate public notice and procedures prescribed by the Election Authority of Adair County, Missouri for the purpose of submitting the provisions of this Ordinance to the qualified voters of the City of Kirksville, Missouri.

Section 5. The City Clerk is hereby directed to transmit to the Adair County Election Authority the necessary documentation so that the Election Authority can give notice of said election, and said notice, and the election called for herein, shall comply with the laws of the State of Missouri.

Section 6. The ballots to be used at said election shall be in substantially the following form:

Shall the City of Kirksville, Missouri, continue to impose a sales tax of one-fourth of one percent for the purpose of funding capital improvements, which may include the retirement of debt under previously authorized bonded indebtedness that will begin on the 1st day of October, 2007.

Yes

No

Section 7. Upon approval by the voters of the City of the question submitted at said election, the City Clerk is hereby directed to, within ten (10) days thereafter, forward to the Director of Revenue by United States registered or certified mail, a certified copy of this ordinance.

Section 8. This ordinance shall be in full force and effect from and after the date of its passage, and the continuance of the sales tax imposed herein shall become effective upon approval of the voters as provided for herein.

Councilmember McCord moved to adopt Bill No. 2006-42- 2006-44 on second reading; seconded by Councilmember Newton. The motion carried by the following vote: Mayor Rowe - aye; Council members: Newton - aye; Crist - aye; McCord - aye; Blesz - absent. Nays - none.

Airport Runway Marking Agreement with Bucher, Willis, Ratliff

Councilmember Crist moved to authorize the City Manager to enter an agreement with Bucher, Willis and Ratliff for engineering services on the airport runway marking; seconded by Councilmember Newton.

Steve Bell explained that an ILS system is an instrument landing system that allows aircraft to land during inclement weather at a much better level and also offers less cancelled flights. Markings are federal requirements for the visuals.

The motion carried by the following vote: Mayor Rowe - aye; Council members: Newton - aye; Crist - aye; McCord - aye; Blesz - absent. Nays - none.

Council Comments

City Manager Macomber announced that the Executive Session regarding a legal matter has been rescheduled for next Wednesday, December 13, at 5:00 p.m.

Councilmember Jill asked if the Council could read the Council agenda items on-line, but be supplied with a hard copy at the meetings. Councilmember Newton asked for a hard copy as well. City Manager Macomber said there would be a couple of copies made available for each meeting.

ADJOURNMENT

There being no further business to come before the Council, Councilmember Crist moved to adjourn; seconded by Councilmember McCord. The motion carried by the following vote: Mayor Rowe - aye; Council members: Newton - aye; Crist - aye; McCord - aye; Blesz - absent. Nays - none.

Mayor Rowe adjourned the meeting at 6:08 p.m.

Vickie Brumbaugh, CMC, MRCC
City Clerk