

COUNCIL & STAFF PRESENT:

| | |
|------------------|------------------------|
| Martha Rowe | Mayor |
| Tim Crist | Councilmember |
| Ralph Cupelli | Councilmember |
| Jeff Newton | Councilmember |
| Howard Hickman | City Attorney |
| Mari E. Macomber | City Manager |
| Vickie Brumbaugh | City Clerk |
| Steve Bell | Recreation Director |
| John Buckwalter | Public Works Director |
| Paul Frazier | Code Administrator |
| Laura Guy | Finance Director |
| Jim Hughes | Police Chief |
| Kris McKim | Assistant City Manager |

The City Council of the City of Kirksville, Missouri, met in a Special Session on Thursday, April 6, 2006, at 5:00 p.m. in the City Hall Council Chambers.

City Manager Macomber asked that a Resolution regarding the publishing of a taxation rate for telephonic service, in accordance with HB 290, be added to the agenda as Item 10E.

APPROVAL OF MINUTES

Councilmember Cupelli moved to approve the minutes of the Special Session of March 27, 2006; seconded by Councilmember Newton. The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Crist, aye; Cupelli, aye; Newton, aye. Nays, none.

INFORMATION PRESENTATIONS

Mayor Rowe read and presented a framed proclamation recognizing the Truman State University Women’s Swim Team on the Sixth NCAA Division II National Championship.

Mayor Rowe read a Proclamation recognizing the month of April as Fair Housing Month.

ACTION PRESENTATIONS

City Manager Macomber explained changes to the agenda: Item 3E – Highway 63 Transportation Corporation be deleted from the agenda – one person being considered for appointment declined, and one is out of the country for a period of time. One more person will be contacted for availability. Additions to the agenda are Items 3J – liquor license for the Hot Spot; 3K – an agreement with Olmecca, Inc to build a portion of Emmett Street; and 3L – an agreement for electrical work with TH&N on the Courthouse Revitalization project.

BILL NO. 2006-11

RESOLUTION NO. R4-6-535

A RESOLUTION RECOGNIZING DAVID A. BRUNER, POLICE SERGEANT, UPON HIS RETIREMENT FOR 25 YEARS AND 7 MONTHS OF SERVICE TO THE CITY OF KIRKSVILLE, MISSOURI.

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

WHEREAS, **David A. Bruner** has worked for the City of Kirksville Police Department since September 10, 1980; and

WHEREAS, **David A. Bruner** was hired as an Auxiliary Police Officer on September 10, 1980, and was commissioned as Patrolman I on July 1, 1981; and

WHEREAS, **David A. Bruner** was appointed to Senior Patrol Officer in 1983, and Juvenile Officer later that same year; and

WHEREAS, **David A. Bruner** was promoted to Police Corporal in 1986 and promoted again in 1988 to his current position of Police Sergeant; and

WHEREAS, **David A. Bruner** retired on April 3, 2006, after serving the City of Kirksville and its citizens for 25 years and 7 months.

NOW, THEREFORE, BE IT RESOLVED that the City Council extends respect and appreciation on behalf of a grateful City to **David A. Bruner** for his years of service.

Councilmember Cupelli moved to approve Bill No. 2006-11; seconded by Councilmember Newton. The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Crist, aye; Cupelli, aye; Newton, aye. Nays, none.

BILL NO. 2006-12

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

Councilmember Cupelli moved to adopt Bill No. 2006-12 on first reading; seconded by Councilmember Crist.

Steve Bell reported that MoDOT granted a not to exceed \$450,000 for improvements to the airport for runway safety improvements, land acquisition, road relocation, design and construction of a hangar taxiway and apron. The Commission is granting an additional not to exceed \$150,000 for additional improvements.

The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Crist, aye; Cupelli, aye; Newton, aye. Nays, none.

BILL NO. 2006-13

AN ORDINANCE DECLARING THE RESULTS OF THE MUNICIPAL ELECTION FOR THE CITY OF KIRKSVILLE, MISSOURI, HELD ON APRIL 4, 2006, AT WHICH TIME THERE WERE NINE (9) CANDIDATES FOR ELECTION TO THE THREE (3) POSITIONS FOR A THREE (3) YEAR TERM, A TWO (2) YEAR TERM AND A ONE (1) YEAR TERM THAT EXISTS ON THE COUNCIL.

Councilmember Cupelli moved to approve Bill No. 2006-13 on first reading; seconded by Councilmember Crist. The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Crist, aye; Cupelli, aye; Newton, aye. Nays, none.

BILL NO. 2006-14

AN ORDINANCE DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION FOR THE CITY OF KIRKSVILLE, MISSOURI, HELD ON APRIL 4, 2006, AT WHICH TIME THERE WAS SUBMITTED TO THE QUALIFIED VOTERS OF SAID CITY THE QUESTION TO IMPOSE A SALES TAX OF ONE-QUARTER OF ONE PERCENT FOR FUNDING LOCAL PARKS AND RECREATION SERVICES.

Councilmember Crist moved to adopt Bill No. 2006-14 on first reading; seconded by Councilmember Newton. The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Crist, aye; Cupelli, aye; Newton, aye. Nays, none.

BILL NO. 2006-15

AN ORDINANCE DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION FOR THE CITY OF KIRKSVILLE, MISSOURI, HELD ON APRIL 4, 2006, AT WHICH TIME THERE WAS SUBMITTED TO THE QUALIFIED VOTERS OF SAID CITY A QUESTION TO ISSUE WATER AND SEWER SYSTEM REVENUE BONDS IN THE AMOUNT OF \$7,000,000.

Councilmember Crist moved to adopt Bill No. 2006-15 on first reading; seconded by Councilmember Cupelli. The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Crist, aye; Cupelli, aye; Newton, aye. Nays, none.

Second Reading

BILL NO. 2006-12

ORDINANCE NO. 11749

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

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

WHEREAS, , the parties entered into an Agreement executed by the Sponsor on June 30, 2004, and executed by the Commission on July 29, 2004, (hereinafter, "Original Agreement") under which the Commission granted the sum not to exceed \$450,000.00 to the Sponsor to assist in runway safety area improvements, land acquisition, road relocation, design and construct hangar taxiway and apron, and

WHEREAS, the Commission previously approved funds for the scope of work described above; and

WHEREAS, the Commission and Sponsor desire to formally amend the Original Agreement as sufficient funds are available to increase the grant amount and expand the project scope as contained in this Amendment; and

WHEREAS, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

(1) ADDITIONAL GRANT: The Commission grants to the Sponsor an additional sum not to exceed \$150,000.00 subject to the following conditions:

(A) The Sponsor shall provide matching funds of not less than \$7,895.00 toward the project in addition to those previously committed by the Sponsor in the Original Agreement.

(2) PROJECT SCOPE: The project scope is hereby amended to include runway safety area improvements, land acquisition, road relocation, design and construct hangar taxiway and apron, and localizer relocation:

(A) The project will be carried out in accordance with the assurances (Exhibit 1) given by the Sponsor to the Commission as specified in the Original Agreement.

NOW, THEREFORE, The Mayor is hereby authorized to execute a contract between the City and the Missouri Highways and Transportation Commission providing for Amendment #1 to the State Block Grant Agreement.

BILL NO. 2006-13 **ORDINANCE NO. 11750**
AN ORDINANCE DECLARING THE RESULTS OF THE MUNICIPAL ELECTION FOR THE CITY OF KIRKSVILLE, MISSOURI, HELD ON APRIL 4, 2006, AT WHICH TIME THERE WERE NINE (9) CANDIDATES FOR ELECTION TO THE THREE (3) POSITIONS FOR A THREE (3) YEAR TERM, A TWO (2) YEAR TERM AND A ONE (1) YEAR TERM THAT EXISTS ON THE COUNCIL.

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

Section 1. That it is hereby found and determined that the results of the election are as follows:

| | | | | | | | | |
|--------------------------------|-----|-----|-----|-----|-----|-----|----|-------|
| Kevin A. Alm | 36 | 64 | 26 | 31 | 27 | 49 | 1 | 234 |
| Jill Wimp McCord | 97 | 416 | 165 | 226 | 243 | 355 | 25 | 1,527 |
| Dale Blesz | 66 | 343 | 131 | 177 | 190 | 258 | 28 | 1,193 |
| Jeff Newton | 76 | 293 | 138 | 198 | 185 | 294 | 24 | 1,208 |
| Charles Cannaday | 59 | 124 | 42 | 74 | 67 | 110 | 5 | 481 |
| Sterling W. "Duck-Dutch" Ruddy | 15 | 11 | 9 | 24 | 5 | 18 | 1 | 83 |
| Terry "Klon" Smith | 43 | 65 | 26 | 49 | 48 | 70 | 3 | 304 |
| Aaron Rodgerson | 54 | 128 | 41 | 98 | 96 | 113 | 9 | 539 |
| Frank D. Wayman | 104 | 191 | 66 | 103 | 133 | 214 | 1 | 812 |
| Write-in | | 1 | 1 | 4 | 1 | | 1 | 8 |

Section 2. That it is hereby found that Jill Wimp McCord is declared elected for a three-year term; Jeff Newton is declared elected for a two-year term; and Dale Blesz is declared elected to a one-year term on the City Council and shall take office on the 6th day of April, 2006.

Section 3. That it is further found, declared and determined that notice of said election was duly given and published in a manner provided by law, and that said election was held and conducted in all respects in conformity with the constitution and laws of the State of Missouri.

BILL NO. 2006-14 **ORDINANCE NO. 11751**
AN ORDINANCE DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION FOR THE CITY OF KIRKSVILLE, MISSOURI, HELD ON APRIL 4, 2006, AT WHICH TIME

THERE WAS SUBMITTED TO THE QUALIFIED VOTERS OF SAID CITY THE QUESTION TO IMPOSE A SALES TAX OF ONE-QUARTER OF ONE PERCENT FOR FUNDING LOCAL PARKS AND RECREATION SERVICES.

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

Section 1.

| | FOR | AGAINST |
|---------------------|-------|---------|
| Southwest Benton #1 | 81 | 127 |
| Southeast Benton #2 | 277 | 336 |
| Southeast Benton #3 | 146 | 97 |
| Northeast Benton #4 | 179 | 196 |
| Northeast Benton #5 | 181 | 194 |
| Northeast Benton #6 | 233 | 319 |
| TSU Benton | 30 | 8 |
| TOTAL | 1,127 | 1,277 |

Section 2. That it is hereby found that the question to impose a sales tax of one-quarter of one percent failed by a vote of 1,127 for, and 1,277 against.

Section 3. That it is further found, declared and determined that notice of said election was duly given and published in a manner provided by law, and that said election was held and conducted in all respects in conformity with the Constitution and laws of the State of Missouri.

BILL NO. 2006-15

ORDINANCE NO. 11752

AN ORDINANCE DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION FOR THE CITY OF KIRKSVILLE, MISSOURI, HELD ON APRIL 4, 2006, AT WHICH TIME THERE WAS SUBMITTED TO THE QUALIFIED VOTERS OF SAID CITY A QUESTION TO ISSUE WATER AND SEWER SYSTEM REVENUE BONDS IN THE AMOUNT OF \$7,000,000.

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

Section 1.

| | FOR | AGAINST |
|---------------------|-------|---------|
| Southwest Benton #1 | 138 | 66 |
| Southeast Benton #2 | 505 | 109 |
| Southeast Benton #3 | 205 | 34 |
| Northeast Benton #4 | 297 | 73 |
| Northeast Benton #5 | 311 | 66 |
| Northeast Benton #6 | 438 | 109 |
| TSU Benton | 31 | 4 |
| TOTAL | 1,925 | 461 |

Section 2. That it is hereby found that the question to issue water and sewer system revenue bonds passed by a vote of 1,925 for, and 461 against.

Section 3. That it is further found, declared and determined that notice of said election was duly given and published in a manner provided by law, and that said election was held and conducted in all respects in conformity with the Constitution and laws of the State of Missouri.

Councilmember Cupelli moved to adopt Bill No. 2006-12, 2006-13, 2006-14 and 2006-15 on first reading; seconded by Councilmember Newton. The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Crist, aye; Cupelli, aye; Newton, aye. Nays, none.

Highway 63 Transportation Corporation Council Policy

Councilmember Newton moved to approve a Council Policy ensuring the appointment of one City Council member on the Highway 63 Transportation Corporation; seconded by Councilmember Cupelli.

City Manager Macomber explained the Council appoints four members to the Corporation. The first appointments were made in 2000. Two of the original city appointments were City Council members. As time passed, the City Council has lost a direct relationship with the Corporation. The Council has expressed that it would be better for the Council to have a member serve on the Corporation, and therefore a policy in place.

The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Crist, aye; Cupelli, aye; Newton, aye. Nays, none.

Fibre Optics Installation

Councilmember Cupelli moved to approve a bid from Winkler Communications for installation of fibre optics; seconded by Councilmember Crist.

Tim King reported the connections will allow the County Sheriff's office and Truman State Public Safety to connect to the current Code3 computer software at the Police Department. The city will be reimbursed 100% from the 2005 Homeland Security Grant in the amount of \$38,994.33.

The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Crist, aye; Cupelli, aye; Newton, aye. Nays, none.

Radios Bid

Councilmember Crist moved to approve a bid from Global Technical Systems, Inc. for handheld radios; seconded by Councilmember Newton.

Tim King reported the radios purchase will be reimbursed through the 2005 Homeland Security Grant in the amount of \$16,402.

The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Crist, aye; Cupelli, aye; Newton, aye. Nays, none.

Skid Steer Loaders

Councilmember Newton moved to approve the purchase of two skid steer loaders from Crown Power and Equipment in the amount of \$75,468; seconded by Councilmember Crist. The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Crist, aye; Cupelli, aye; Newton, aye. Nays, none.

Liquor License – Hot Spot

Councilmember Crist moved to approve a liquor license to the Hot Spot; seconded by Councilmember Cupelli.

Finance Director Laura Guy reported this business was shut down this week because the owners had not applied for a license after purchasing the business. They have passed inspections and qualified for a business license.

The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Crist, aye; Cupelli, aye; Newton, aye. Nays, none.

Emmett Street Construction

Councilmember Cupelli moved to authorize the City Manager to enter an agreement with Olmeca Incorporated (Tally Lopez) to build a portion of Emmett Street; seconded by Councilmember Newton.

Paul Frazier reported that El Vaquero is being relocated to a new building on the northeast corner of North Baltimore and Emmett Street, completing construction in 2006. The owner, Tally Lopez/Olmeca, Incorporated, will have Emmett Street built up to and including the platted Novinger Street intersection. The city will reimburse them. The city had planned to build this street in 2007.

The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Crist, aye; Cupelli, aye; Newton, aye. Nays, none.

Courthouse Square Revitalization Project – Electrical Work

Councilmember Crist moved to accept a design-build proposal by TH& N Electric for electrical work for the Courthouse Square Revitalization project, and authorizing the City Manager to enter an agreement for this service; seconded by Councilmember Cupelli.

John Buckwalter explained that to expedite construction of the downtown square, the electrical work would be pulled out of the general contract. Utilizing a design build approach for the electrical and lighting portion, significant time can be saved, as much as 30 days.

The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Crist, aye; Cupelli, aye; Newton, aye. Nays, none.

Oath of Office

City Clerk Vickie Brumbaugh administered the Oath of Office to newly elected officials: Jill McCord to a three-year term; Jeff Newton to a two-year term; and Dale Blesz to a one-year term.

Mayor Appointment

The ballots were collected by the City Clerk, and Martha Rowe was voted Mayor for the 2006-2007 year.

Mayor Pro Tem Appointment

The ballots were collected by the City Clerk, and Jeff Newton was voted Mayor Pro Tem for the 2006-2007 year.

Recognition of Ralph Cupelli and Jeff Newton

Councilmember Crist moved to recognize Ralph Cupelli and Jeff Newton for their service on the City Council from October 26, 2005 to April 6, 2006; seconded by Councilmember McCord. The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Blesz, aye; Crist, aye; McCord, aye; Newton, aye. Nays, none.

Mayor Rowe presented Certificates of Appreciation to Ralph and Jeff.

Committee/Board Appointments

Councilmember Crist moved to approve the following committee/board assignments for the City Council; seconded by Councilmember Blesz. The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Blesz, aye; Crist, aye; McCord, aye; Newton, aye. Nays, none.

Affordable Housing Board – Martha Rowe
Airport and Transportation Commission – Tim Crist
Lakes, Parks and Recreation Commission – Martha Rowe
Planning and Zoning Commission – Jill McCord
Tax Increment Finance Commission – Dale Blesz
Telecommunications Commission – Jeff Newton
E-911 Joint Services Board – Laura Guy and Mari Macomber
Fire Department Labor Management Committee – Martha Rowe
Kirksville Downtown Improvement Committee – Jeff Newton
Kirksville Regional Economic Development, Inc. (K-REDI) – Jeff Newton
Northeast Regional Planning Commission – Martha Rowe
Strategic Planning Committee – Dale Blesz
Chamber of Commerce Board – Jill McCord

Other Items – Future Council Meetings

City Manager Macomber asked the Council if they would consider setting a consistent time for all regular meetings and study sessions of the Council. Councilmember McCord moved to hold future Council meetings at 5:30 p.m. on Wednesdays; seconded by Dale Blesz. The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Blesz, aye; Crist, aye; McCord, aye; Newton, aye. Nays, none.

City Manager Macomber announced that the next meeting will be in a Study Session on Wednesday, April 26, at 5:30 p.m.

The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Newton, aye; Crist, aye; McCord, aye; Blesz, aye. Nays, none.

ADJOURNMENT

There being no further business to come before the Council, Councilmember Crist moved to adjourn; seconded by Councilmember Newton. Mayor Rowe adjourned the meeting at 6:04 p.m.

Vickie Brumbaugh, CMC/MRCC, City Clerk