

# **JOURNAL OF THE CITY COUNCIL**

*Regular Session – March 1, 2010*

## **COUNCIL & STAFF PRESENT:**

Martha Rowe	Mayor
Todd Kuhns	Councilmember
Aaron Rodgerson	Councilmember
Carolyn Chrisman	Councilmember
Richard L. Detweiler	Councilmember
Howard Hickman	City Attorney
Mari E. Macomber	City Manager
Vickie Brumbaugh	City Clerk
John Buckwalter	Public Works Director
Jim Hughes	Police Chief
Brad Selby	Code Administrator
Melanie Smith	Community Services Director

The City Council of the City of Kirksville, Missouri, met in a Regular Session on Monday, March 1, 2010, at 6:00 p.m. in the City Hall Council Chambers.

## **INVOCATION/PLEDGE**

Pastor Aaron Rodgerson, of the Southside Baptist Church, gave the Invocation. The Mayor and Council led the Pledge of Allegiance.

## **MINUTES**

Councilmember Chrisman moved to approve the minutes of the regular session of February 15, 2010; seconded by Councilmember Kuhns. The motion carried by the following vote: Mayor Rowe – aye; Councilmembers: Kuhns – aye; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

## **ORDER OF AGENDA**

Councilmember Chrisman moved to approve the Order of the Agenda, seconded by Councilmember Rodgerson. The motion carried by the following vote: Mayor Rowe – aye; Councilmembers: Kuhns – aye; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

## **INFORMATION PRESENTATION & PUBLIC HEARING**

Mayor Rowe presented a Proclamation for Developmental Disabilities Awareness month.

Mayor Rowe presented a Lifesaving Award to Police Officer Bill Puryear for his lifesaving response to an emergency situation on an individual who was not breathing and had no pulse, which resulted in saving the life of the individual.

## **CITIZEN PARTICIPATION**

None.

## **UNFINISHED BUSINESS**

None.

## **ACTION PRESENTATIONS**

**BILL NO. 2010-11**

**AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING A LOT SPLIT WHICH IS PART OF A TRACT OF LAND LOCATED IN THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 62 NORTH, RANGE 15 WEST, ADAIR COUNTY, MISSOURI, WHICH IS ON OR NEAR 1615 S. BALTIMORE STREET IN KIRKSVILLE, MISSOURI.**

Councilmember Chrisman moved to adopt Bill No. 2010-11 on first reading; seconded by Councilmember Rodgerson.

Brad Selby explained that Weaver Holdings have a development project at 1615 South Baltimore, and are requesting a lot split for the sale and development of a Dollar General retail store. The lot will be split into two small tracts and one larger tract. The combination of lots will total approximately 1.26 acres.

The motion carried by the following vote: Mayor Rowe – aye; Councilmembers: Kuhns – aye; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

**Google Fiber Project**

Councilmember Chrisman moved to authorize the Mayor and City Manager to execute documents in support of the Kirksville Google Fiber Project; seconded by Councilmember Kuhns.

Mari Macomber explained that Google has offered an opportunity to cities to receive ultra-high speed broadband networks. A group of interested citizens have responded to support this, and have asked the City to sponsor the submittal of a Request for Information. Google proposes to make a decision by the end of the year.

The motion carried by the following vote: Mayor Rowe – aye; Councilmembers: Kuhns – aye; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

**Bid – Two Dump Trucks**

Councilmember Rodgerson moved to approve the bid for two 2011 two-ton single axle International dump trucks with snow plows and anti-icing units from Al Scheppers Motor Company of Jefferson City; seconded by Councilmember Chrisman.

John Buckwalter reported that \$216,000 was budgeted to purchase two dump trucks with snow plows and anti-icing units. In December, the Street Division tested the use of salt brine for snow and ice control on streets. The tests showed that brine improved snow removal and reduced the amount of salt required. The bid specs were adjusted to include an anti-icing unit, for a total of \$122,554 for the dump truck. A one-half ton pickup truck purchase had been included in the budget amount, and therefore it was recommended to defer the purchase of the pickup truck for another year, to provide enough funds for the purchase of the two dump trucks.

The motion carried by the following vote: Mayor Rowe – aye; Councilmembers: Kuhns – aye; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

**Bid – Water Pipe, Valves & Fittings**

Councilmember Chrisman moved to approve the bid for pipe, valves and fittings for water main construction and repair from Water and Sewer Supply of Columbia, Missouri for a total of \$54,433.40; seconded by Councilmember Kuhns. The motion carried by the following

vote: Mayor Rowe – aye; Councilmembers: Kuhns – aye; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

**LPRC Appointment**

Councilmember Chrisman moved to appoint Yvette Amerman to the Lakes, Parks and Recreation Commission; seconded by Councilmember Rodgerson. The motion carried by the following vote: Mayor Rowe – aye; Councilmembers: Kuhns – aye; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

**Street Use for St. Patrick’s Day Parade**

Councilmember Chrisman moved to approve a request for the use of City streets for the St. Patrick’s Day parade on March 17; seconded by Councilmember Kuhns. The motion carried by the following vote: Mayor Rowe – aye; Councilmembers: Kuhns – aye; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

**2<sup>nd</sup> Reading**

**BILL NO. 2010-11**

**ORDINANCE NO. 11912**

**AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING A LOT SPLIT WHICH IS PART OF A TRACT OF LAND LOCATED IN THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 62 NORTH, RANGE 15 WEST, ADAIR COUNTY, MISSOURI, WHICH IS ON OR NEAR 1615 S. BALTIMORE STREET IN KIRKSVILLE, MISSOURI.**

**WHEREAS**, a tract of land located on or near 1615 S. Baltimore Street within the City of Kirksville, Missouri, which is part of a tract of land located in the northwest corner of Section 15, Township 62 North, Range 15 West, and is incorporated herein by reference, has been regularly certified by Stanley J. Schultz, licensed surveyor number PLS # 2630; and

**WHEREAS**, the combined tract of land is more particularly described as follows:

Commencing at a PK nail found, said PK nail being the northwest corner of Section 15, Township 62 North, Range 15 West, 5th Principal Meridian; thence South 89 degrees 56 minutes 29 seconds East a distance of 23.96 feet to a 5/8” iron pin found in the east right of way line of U.S. Highway 63, said pin also being the northwest corner of the Weaver Holdings, LLC property; thence with said east right of way line S 00 degrees 8 minutes 42 seconds East a distance of 254.98 feet to a 5/8” iron pin found in the north property line of the Weaver Holdings, LLC property; thence with said east right of way line South 89 degrees 45 minutes 48 seconds West a distance of 3.99 feet to a 5/8” iron pin found, said pin being the northwest corner of the Weaver Holdings, LLC property; thence with said east right of way line South 00 degrees 08 minutes 25 seconds East a distance of 118.00 feet to a 5/8” iron pin set in the west property line of the Weaver Holdings, LLC property, said iron pin set being the TRUE POINT OF BEGINNING of this tract; thence leaving said east right of way line across said Weaver Holdings, LLC property North 89 degrees 57 minutes 18 seconds East a distance of 100.08 feet to a point in the West line of the Weaver Holdings, LLC property; thence leaving said Weaver Holdings, LLC property across the Weaver Holdings, LLC property as follows North 89 degrees 57 minutes 18 seconds East a distance of 249.92 feet to a 5/8” iron pin set; thence South 00 degrees 08 minutes 51 seconds East a distance of 32.09 feet to a point in the north line of the Pulis Development, Inc. property; thence leaving said Weaver Holdings, LLC property across said Pulis Development, Inc. property South 00 degrees 08 minutes 51 seconds East a distance of 127.50 feet to a 5/8” iron pin set in the

north line of the Jeffrey D. Crist property, said point also lying in the south line of the said Pulis Development property; thence with said Crist property South 89 degrees 58 minutes 03 seconds West a distance of 343.97 feet to a 5/8" iron pin set in the east right of way line of said U.S. Highway 63, said iron pin being the northwest corner of said Crist property; thence leaving said Crist property with said east right of way line as follows: North 00 degrees 08 minutes 42 seconds West a distance of 127.50 feet to a 5/8" iron pin found in the south line of the Weaver Holdings, LLC property, said pin being the northwest corner of said Pulis property; thence continuing with said right of way line North 89 degrees 52 minutes 58 seconds West a distance of 6.05 feet to a 5/8" iron pin found in said right of way line, said pin also being the southwest corner of said Weaver Holdings, LLC property; thence with said right of way line North 00 degrees 08 minutes 25 seconds West 31.99 feet to the point of beginning of this tract. Containing 1.265 acres or 55,072.36 square feet 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, showing the complete plats of land created by the Lot Split; and

**WHEREAS**, the owner is required to do a Lot Combination of the Tracts A,B, and C to prevent Tracts A and B from becoming a landlocked property, and to file the same with the Adair County Recorder's office.

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

That the lot split for the tract of land located on or near 1615 S. Baltimore 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 Chrisman moved to adopt Bill No. 2010-11 on second reading; seconded by Councilmember Rodgerson. The motion carried by the following vote: Mayor Rowe – aye; Councilmembers: Kuhns – aye; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

**Comments**

Councilmember Kuhns encouraged everyone to show community support for Google by going to Facebook.

Mari Macomber reminded everyone to fill out the 2010 census form.

**Adjournment**

There being no further business to come before the Council, Councilmember Chrisman moved to adjourn; seconded by Councilmember Rodgerson. The motion carried by the following vote: Mayor Rowe – aye; Councilmembers: Kuhns – aye; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

Mayor Rowe declared the meeting adjourned at 6:42 p.m.

Vickie Brumbaugh, CMC, MRCC  
City Clerk