

JOURNAL OF THE CITY COUNCIL

Regular Session – April 5, 2010

COUNCIL & STAFF PRESENT:

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

Absent: Todd Kuhns Councilmember

The City Council of the City of Kirksville, Missouri, met in a Regular Session on Monday, April 5, 2010, at 6:05 p.m. in the City Hall Council Chambers.

INVOCATION/PLEDGE

Deacon Dave Ream, of the Mary Immaculate Catholic 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 March 15, 2010; seconded by Councilmember Detweiler. The motion carried by the following vote: Mayor Rowe – aye; Councilmembers: Kuhns – absent; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

ORDER OF AGENDA

Councilmember Chrisman moved to approve the Order of the Agenda; seconded by Councilmember Detweiler. The motion carried by the following vote: Mayor Rowe – aye; Councilmembers: Kuhns – absent; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

INFORMATION PRESENTATION & PUBLIC HEARING

Mayor Rowe opened the Public Hearing at 6:09 p.m. to hear citizen comments on the application submission for CDBG funding.

Cherie Bryant explained that the City is proposing to provide better drainage infrastructure in the Bear Creek 9 area, located in the southwest part of town, bounded by Hildreth Street on the south, Boundary on the west, Dodson on the north and First on the east. Project cost is \$520,000, and the City proposes to contribute \$50,000 in cash and \$170,000 in-kind labor. If funded, 51 percent low and moderate income persons will benefit.

Ronnie Truitt and Kelly Nelson spoke of their concerns on future changes and expansion that affect the Bear Creek watershed area. Both have experienced flooding to the Bear Creek watershed area. Mr. Truitt presented a letter of their concerns to the Council.

There being no further comments, Mayor Rowe closed the Public Hearing at 6:15 p.m.

Mayor Rowe signed a Proclamation for Fair Housing Month.

CITIZEN PARTICIPATION

Steve Taylor, business owner at 117 West Washington, stated that he had heard that Farmers Market was going to move from the current location, north side of the courthouse. He obtained signatures from all downtown business owners, except two, who want the Farmers Market to stay in the same location.

Sherry Stacey, owner of Hidden Treasures, 104 West Harrison, said the merchants have worked hard to develop a historic downtown. She offered to help the Kiwanis in any way to keep the Farmers Market in the same location.

Jason Sandner, 14055 State Highway D, Green Castle, is a farmers market vendor. He said the current location has easy access. Customers will have to go across Main Street to get to the market. There is no electricity for vendors in the proposed parking lot at Missouri and Main Street. The restroom is two blocks away. Mari Macomber clarified that electricity is available at the Missouri/Main parking lot.

Steve Salt, 28461 Linderville Trail, Kirksville, representing the Kiwanis Farmers Market Committee, stated they proposed the moving change to the Missouri and Main parking lot. The Red Barn event presents an increase of traffic to the Farmers Market. The market was moved each year for the Red Barn anyway. There is a problem with vendors arriving at 4:00 a.m. to set up because they want good spaces, and also not leaving until past noon. There are 40 spaces, but the parking lot would provide 112 spaces. There are safety issues on the streets that they had hoped would be addressed if the Market was moved.

UNFINISHED BUSINESS

None.

ACTION PRESENTATIONS

BILL NO. 2010-16

RESOLUTION NO. R4-5-597

A RESOLUTION OF THE CITY OF KIRKSVILLE, MISSOURI, STATING INTENT TO SEEK FUNDING THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND AUTHORIZING THE MAYOR TO PURSUE ACTIVITIES IN AN ATTEMPT TO SECURE FUNDING.

WHEREAS, Title I of the Housing and Community Development Act of 1974 does state as its primary objective “the development of viable urban communities, by providing decent housing and suitable living environment and expanding economic opportunities, principally for persons of low and moderate income;”

WHEREAS, Title I does offer to communities the opportunity of monetary assistance in accomplishing its stated primary objectives;

WHEREAS, The Missouri Department of Economic Development is designated to award Community Development Block Grant funding under Title I; and

WHEREAS, the city does have areas of need which may be addressed through the Community Development Block Grant program.

NOW, THEREFORE BE IT RESOLVED by the City of Kirksville, Missouri, that it desires to continue participation with the Missouri Department of Economic Development in plans and activities for the improvement of our community under the activities authorized pursuant to the Housing and Community Development Act of 1974.

THEREFORE, BE IT FURTHER RESOLVED, that the Mayor of Kirksville, Missouri hereby is authorized to pursue and submit documents which are necessary in applying for funding and establishing an administrative organization to implement activities pursuant to the aforementioned act.

THEREFORE, BE IT FURTHER RESOLVED, the total project cost for improved drainage infrastructure is estimated at \$520,000. The applicant will contribute \$50,000 in cash, \$170,000 in-kind labor by city crews, with grant funds of \$300,000 needed to make up the balance.

Councilmember Chrisman moved to approve Bill No. 2010-16; seconded by Councilmember Rodgerson. The motion carried by the following vote: Mayor Rowe – aye; Councilmembers: Kuhns – absent; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

BILL NO. 2010-17 **RESOLUTION NO. R4-5-598**
A RESOLUTION APPROVING A FIVE-YEAR CONTRACT WITH THE KIRKSVILLE BASEBALL SOFTBALL ASSOCIATION FOR FIRST RIGHT TO USE THE NORTH PARK SPORTS COMPLEX FROM APRIL 15, 2010 THROUGH AUGUST 1, 2014.

WHEREAS, the current contract for usage between the City and Association is set to expire in 2010, and

WHEREAS, the proposed terms have been accepted by the Association for a new five-year contract agreement for first right to use the ball fields and facilities, and

WHEREAS, Kirksville Baseball Softball Association is dedicated to improving the recreational opportunities for all youth in Kirksville and the surrounding area, and

WHEREAS, the City of Kirksville desires to provide high quality ball fields to the Association for the purpose of youth recreational baseball and softball leagues.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Kirksville, hereby approves a five-year contract with the Kirksville Baseball Softball Association, for first right to use the North Park Sports Complex.

Councilmember Chrisman moved to approve Bill No. 2010-17; seconded by Councilmember Rodgerson. The motion carried by the following vote: Mayor Rowe – aye; Councilmembers: Kuhns – absent; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

Amendment to Trash Contract – Appendix C

Councilmember Chrisman moved to approve an amendment to Attachment C of the solid waste contract with Veolia, approved by the Council on February 15; seconded by Councilmember Rodgerson.

Brad Selby explained that the contract has been signed by the City and Veolia, but Veolia's attorney requested that wording in Attachment C-Indemnification Agreement be changed from "regardless of whether caused in part", to: "except to the extent caused."

The motion carried by the following vote: Mayor Rowe – aye; Councilmembers: Kuhns – absent; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

P.C. Mills Master Plan

Councilmember Chrisman moved to approve the P.C. Mills Master Plan as submitted by the Parks and Recreation Commission; seconded by Councilmember Rodgerson.

Melanie Smith reported there are sidewalks now to all park features. Future plans include replacement of playground equipment and resurfacing the parking area on both sides of the park.

The motion carried by the following vote: Mayor Rowe – aye; Councilmembers: Kuhns – absent; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

Red Barn Arts & Crafts Street Usage

Councilmember Chrisman moved to approve a request from the Kirksville Arts Association for the use of city streets on October 2, 2010 for the Red Barn Arts and Crafts Festival; seconded by Councilmember Detweiler.

There was discussion on the location of farmers market during the Red Barn Festival. Brian Collier will have to be consulted for usage of the theater parking lot or the Main and Missouri parking lot. Councilmember Chrisman moved to amend the Red Barn request by excluding the usage of the theater parking lot for farmers market on that day; seconded by Councilmember Rodgerson. The motion carried by the following vote: Mayor Rowe – nay; Councilmembers: Kuhns – absent; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 3 Ayes; 1 Nay; 1 Absent.

The motion to approve the use of city streets for the Red Barn Festival, as amended, carried by the following vote: Mayor Rowe – aye; Councilmembers: Kuhns – absent; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

Committee/Board Appointment

Councilmember Rodgerson moved to re-appoint Jan Hartje and Bonnie Collier to another two-year term on the Nancy Reed Fugate Commission; and appoint Mike LaBeth to an unexpired term on the Planning and Zoning Commission. The motion carried by the following vote: Mayor Rowe – aye; Councilmembers: Kuhns – absent; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

Comments

Mari Macomber introduced the new KDIC Director, Lynn Daniels, who just started the position today.

The Council was asked to meet in Special Session on April 12 at 5:00 p.m. to certify election results and re-organize.

There was a consensus of the Council to purchase the computer notebooks to use in Council meetings if city staff can use them through the week.

There are two parcels of land to be sold which will be brought to the Council at the April 19th meeting.

The Missouri Municipal League's Elected Officials training is scheduled on June 17 and 18 in Jefferson City.

Adjournment

There being no further business to come before the Council, Councilmember Chrisman moved to adjourn; seconded by Councilmember Detweiler. The motion carried by the following vote: Mayor Rowe – aye; Councilmembers: Kuhns – absent; Chrisman – aye; Detweiler – aye; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

Mayor Rowe declared the meeting adjourned at 7:05 p.m.

Vickie Brumbaugh, CMC, MRCC
City Clerk