

COUNCIL & STAFF PRESENT:

Richard Detweiler	Mayor
Carolyn Chrisman	Councilmember
Roger A. Edge	Councilmember
Tony Fajkus	Councilmember
Jerry Mills	Councilmember
Howard Hickman	City Attorney
Mari Macomber	City Manager
Vickie Brumbaugh	City Clerk
Laura Guy	Finance Director
Sarah Halstead	Community Services Director
Jim Hughes	Police Chief
Brad Selby	Codes Administrator
Melanie Smith	Assistant City Manager

The City Council of the City of Kirksville, Missouri, met in a Regular Session on Monday, May 16, 2011, at 6:00 p.m. in the City Hall Council Chambers.

INVOCATION/PLEDGE

Father Chris Cordes, of the Mary Immaculate Catholic Church, gave the Invocation. Members of Boy Scout Troop 401 led the Pledge of Allegiance.

MINUTES

Councilmember Chrisman moved to approve the minutes of the regular session of May 2, 2011; seconded by Councilmember Fajkus. The motion carried by the following vote:
Ayes – 5: Mayor Detweiler; Councilmembers Chrisman, Edge, Fajkus, Mills
Noes – 0

ORDER OF AGENDA

City Manager Macomber asked that a Resolution be added – Requesting that the Missouri Highway and Transportation Commission consider delaying a decision to implement the bolder five-year direction for an additional 90 day period; and also add – Authorizing the City Manager to amend the Nationwide Deferred Compensation Plan document.

Councilmember Chrisman moved to approve the Order of the Agenda as amended; seconded by Councilmember Fajkus. The motion carried by the following vote:
Ayes – 5: Mayor Detweiler; Councilmembers Chrisman, Edge, Fajkus, Mills
Noes – 0

INFORMATION PRESENTATION

Mayor Detweiler opened the Public Hearing at 6:04 pm to hear citizen comments regarding the rezoning and designation of five properties as local historic landmarks.

Brad Selby identified the five properties being considered: Grim Building, Pickler’s Famous building, Forest-Llewellyn Cemetery, Spencer/Selby House and the McGovern House. Zoning requirements stay the same. All properties met the requirements to be designated as a Historic Landmark, and the Planning and Zoning Commission recommends this designation.

There being no further comments, Mayor Detweiler closed the public hearing at 6:15 p.m.

CITIZEN PARTICIPATION

None.

UNFINISHED BUSINESS

None

ACTION PRESENTATIONS

BILL NO. 2011-21

RESOLUTION NO. R-5-16-619

A RESOLUTION TO APPOINT CAROLYN CHRISMAN AS REPRESENTATIVE, AND MARI MACOMBER AS ALTERNATE, ON THE REGIONAL PLANNING COMMISSION EXECUTIVE BOARD.

WHEREAS, on the 19th day of March in 1969, Governor Warren E. Hearnes designated the Northeast Missouri Regional Planning Commission, (NEMO RPC), and with this designation, the Northeast Missouri Regional Planning Commission was created; and

WHEREAS, the Northeast Missouri Regional Planning Commission currently serves the counties within the region of Adair, Clark, Knox, Lewis, Schuyler, Scotland, and the 33 incorporated cities for a total of 39 member governments within Northeast Missouri; and

WHEREAS, the governing body of each County within the region shall appoint one member of the County governing body to the Northeast Missouri Regional Planning Executive Board and one member of the County governing body as an alternate; and

WHEREAS, the incorporated cities of each county shall caucus and appoint one member to the Northeast Missouri Regional Planning Executive Board.

NOW, THEREFORE, BE IT RESOLVED, that the incorporated **CITIES OF ADAIR COUNTY** hereby request that Carolyn Chrisman, Council Member of the City of Kirksville, being designated by the Mayors as a voting board member to represent the incorporated **CITIES OF ADAIR COUNTY** on the Northeast Missouri Regional Planning Commission Executive Board, with Mari E. Macomber being designated to represent the incorporated **CITIES OF ADAIR COUNTY** as an alternate Board Member.

Councilmember Chrisman moved to approve Bill No. 2011-21; seconded by Councilmember Fajkus. The motion carried by the following vote:

Ayes – 5: Mayor Detweiler; Councilmembers Chrisman, Edge, Fajkus, Mills

Noes – 0

BILL NO. 2011-22

RESOLUTION NO. R5-16-620

A RESOLUTION OF THE CITY COUNCIL OF KIRKSVILLE, MISSOURI AUTHORIZING THE MAYOR TO EXECUTE AN ADDITIONAL 90 DAY EXTENSION ON THE LEASE AGREEMENT WITH CENVEO FOR THE 3010 INDUSTRIAL ROAD PROPERTY.

WHEREAS, the City of Kirksville purchased the 3010 Industrial Road property in June 2003, to further economic development efforts in Kirksville; and

WHEREAS, Commercial Envelope Manufacturing Co., Inc. desired to lease the 3010 Industrial Road property for use as a manufacturing facility in the fall of 2005; and

WHEREAS, Cenveo Corporation acquired Commercial Envelope and requested a six month extension on the current lease, which was granted; and now has requested an additional ninety (90) day period, establishing a lease expiration date of September 29, 2011, subject to the renewal or termination provisions contained in the original lease agreement with option to purchase; and

WHEREAS, the City of Kirksville is supportive of industry and wishes to work with Cenveo.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF KIRKSVILLE, that the Mayor is authorized to execute a Lease Agreement Extension with Cenveo Corporation for the 3010 Industrial Road property.

Councilmember Chrisman moved to approve Bill No. 2011-22; seconded by Councilmember Edge. The motion carried by the following vote:

Ayes – 5: Mayor Detweiler; Councilmembers Chrisman, Edge, Fajkus, Mills

Noes – 0

BILL NO. 2011-23

AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI APPLYING AN “H” HISTORIC OVERLAY ZONING DISTRICT DESIGNATION TO FIVE (5) HISTORIC LANDMARK PROPERTIES AND CHANGING THE ZONING MAP ACCORDINGLY.

Councilmember Chrisman moved to approve Bill No. 2011-23; seconded by Councilmember Fajkus.

Brad Selby announced that no one spoke in opposition at the Planning and Zoning meeting.

The motion carried by the following vote:

Ayes – 5: Mayor Detweiler; Councilmembers Chrisman, Edge, Fajkus, Mills

Noes – 0

Fraud Prevention and Detection Policy

Councilmember Chrisman moved to approve a Fraud Prevention and Detection Policy; seconded by Councilmember Fajkus.

Laura Guy explained that the new audit firm recommended that the City adopt a formal policy pertaining to fraudulent activity. All Council, appointed committee/board members and city employees are responsible for complying with the policy.

The motion carried by the following vote:

Ayes – 5: Mayor Detweiler; Councilmembers Chrisman, Edge, Fajkus, Mills

Noes – 0

Bid – Police Computer Aided Dispatch and Records Management

Councilmember Chrisman moved to approve a bid with Information Technologies of St. Louis for computer aided dispatch and records management computer systems for the Police Department; seconded by Councilmember Fajkus.

The motion carried by the following vote:

Ayes – 5: Mayor Detweiler; Councilmembers Chrisman, Edge, Fajkus, Mills

Noes – 0

Liquor License – Dollar General

Councilmember Chrisman moved to approve a liquor license for the Dollar General Store at 510 South Baltimore; seconded by Councilmember Fajkus.

The motion carried by the following vote:

Ayes – 5: Mayor Detweiler; Councilmembers Chrisman, Edge, Fajkus, Mills

Noes – 0

Liquor Licenses – Jade Buffet

Councilmember Chrisman moved to approve a liquor license for the Jade Buffet at 2402 North Baltimore; seconded by Councilmember Fajkus.

The motion carried by the following vote:

Ayes – 5: Mayor Detweiler; Councilmembers Chrisman, Edge, Fajkus, Mills

Noes – 0

Adair County Extension Council Appointment – Pingel

Councilmember Chrisman moved to appoint Jeremy Pingel to the Adair County Extension Council; seconded by Councilmember Edge.

The motion carried by the following vote:

Ayes – 5: Mayor Detweiler; Councilmembers Chrisman, Edge, Fajkus, Mills

Noes – 0

Additional Items to Agenda:

BILL NO. 2011-24

RESOLUTION NO. R5-16-621

A RESOLUTION OF THE CITY COUNCIL OF KIRKSVILLE, MISSOURI REQUESTING THAT THE MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION CONSIDER DELAYING A DECISION TO IMPLEMENT THE BOLDER FIVE-YEAR DIRECTION FOR AN ADDITIONAL NINETY-DAY PERIOD.

WHEREAS, the plans to close district offices and restructure the Missouri Department of Transportation was announced on May 4, 2011, but had been in the development for several months prior; and

WHEREAS, the proposed changes presented to the Missouri Highway and Transportation Commission in this Bolder Five-Year Direction will impact communities throughout the state; and

WHEREAS, the proposed closure of the District 2 Office will impact our community well beyond the location of a building, by the loss of active and involved MoDOT employees who call our community home; and

WHEREAS, our community and residents have been strong supporters of the Missouri Highway and Transportation Commission and the Missouri Department of Transportation, whether on small projects or multi-million dollar expansions to Highway 63.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF KIRKSVILLE, hereby encourages the Commission to delay any decisions concerning the Bolder Five- Year Direction, and give communities an opportunity to understand the direction and provide input in developing the final structure of our Missouri Department of Transportation.

Mari Macomber noted that a word needed to be removed to make sense in the second line of the third Whereas paragraph in the proposed Resolution. Councilmember Chrisman moved to approve Bill No. 2011-24, as amended; seconded by Councilmember Edge.

The motion carried by the following vote:

Ayes – 5: Mayor Detweiler; Councilmembers Chrisman, Edge, Fajkus, Mills

Noes – 0

Nationwide Deferred Compensation Plan

Councilmember Chrisman moved to authorize the City Manager to amend the Nationwide Deferred Compensation plan document in accordance with federal regulations; seconded by Councilmember Fajkus.

The motion carried by the following vote:

Ayes – 5: Mayor Detweiler; Councilmembers Chrisman, Edge, Fajkus, Mills

Noes – 0

2nd Reading of Ordinances

BILL NO. 2011-23

ORDINANCE NO. 11960

AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI APPLYING AN “H” HISTORIC OVERLAY ZONING DISTRICT DESIGNATION TO FIVE (5) HISTORIC LANDMARK PROPERTIES AND CHANGING THE ZONING MAP ACCORDINGLY.

WHEREAS, the City of Kirksville has received five (5) voluntary applications from the property owners for designating their property as a Historic Landmark; and

WHEREAS, the five (5) properties are: 113 E. Washington – the Grim Building; 114 W. Harrison – the Pickler’s Famous Building; 201 N. Centennial – Forest Llewellyn Cemetery; 316 N. Franklin – the Spencer/Selby House; 415 E. Washington – the McGovern House; and

WHEREAS, all five properties have been determined qualified to be designated as a Historic Landmark by having met the test of significance as they relate to the criteria for designation as a historic structure or site; and

WHEREAS, the Kirksville Historic Preservation Commission has approved the five locations for inclusion as local Historic Landmarks; and

WHEREAS, the Planning and Zoning Commission, at a public hearing on April 13, 2011, voted to approve the five properties for historic recognition, and has forwarded their recommendation on to the city council; and

WHEREAS, at the public hearing on April 13, 2011, no citizens spoke against the proposal to rezone and designate the five properties as Historic Landmarks and no written comments have been received; and

WHEREAS, the above described properties will have an “H” – Historic District overlay zone applied to the zoning designation for each property, and the “Zoning District Map” as set forth under Article 1 of Chapter 25 of said Code will be changed in accordance therewith; and

WHEREAS, a public hearing was held before the Kirksville City Council at their regular meeting of May 16, 2011 to hear citizens opinions either for or against the proposal of rezoning and designation to be allowed; and

WHEREAS, notice of said public hearings were given by the required publication of notice thereof in the Kirksville Daily Express, a daily newspaper of general circulation in Adair County, Missouri; and

WHEREAS, after due hearing, it is the finding of this Council that the greatest benefit can be derived for the City of Kirksville and the inhabitants thereof by granting of the above stated applications to rezone and designate as a Historic Landmark each of the five properties listed, and the rezoning and designation of these Historic Landmarks would not be detrimental to the adjoining property owners or the inhabitants of the City of Kirksville, Missouri, but would in fact enhance the value of property and contribute to the community as a whole; and

WHEREAS, it is the finding of this Council that all requirements of the Code of the City of Kirksville for the rezoning and designation of the five properties to be called local Historic Landmarks in the City of Kirksville has been met by the Applicants.

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

That the above described real estate be, and the same is hereby rezoned, to an “H” Historic overlay district and the five properties normally identified as: the Grim Building at 113 E. Washington Street; the Pickler’s Famous Building at 114 W. Harrison Street; the Forest-Llewellyn Cemetery at 201 N. Centennial Street; the Spencer/Selby House at 316 N. Franklin Street; and the McGovern House at 415 E. Washington Street be henceforth designated as Historic Landmarks in the City of Kirksville and the Zoning District Map as set forth under Article I of Section 25-6 of the Zoning Ordinances of said Code shall be changed accordingly.

This ordinance shall be of full force and effect from and after the date of its passage.

Council member Chrisman moved to adopt Bill No. 2011-23 on second reading; seconded by Council member Fajkus.

The motion carried by the following vote:

Ayes – 5: Mayor Detweiler; Councilmembers Chrisman, Edge, Fajkus, Mills

Noes – 0

Council Comments

None.

Adjournment

There being no further business to come before the Council, Councilmember Chrisman moved to adjourn to an Executive Session regarding Real Estate, RsMo 610-021((2)); seconded by Councilmember Edge. The motion carried by the following Roll Call Vote:

Ayes – 5: Mayor Detweiler; Councilmembers Chrisman, Edge, Fajkus, Mills

Noes – 0

Mayor Detweiler declared the meeting adjourned at 6:45 p.m. to an Executive Session.

Vickie Brumbaugh, CMC MRCC
City Clerk