

JOURNAL OF THE CITY COUNCIL

Regular Session – May 7, 2012

COUNCIL & STAFF PRESENT:

Richard Detweiler	Mayor
Tony Fajkus	Councilmember
Roger A. Edge	Councilmember
Jerry Mills	Councilmember
Mari E. Macomber	City Manager
Howard Hickman	City Attorney
Vickie Brumbaugh	City Clerk
John Buckwalter	Public Works Director
Jim Hughes	Police Chief
Ed leans	City Engineer
Katie Myers	Finance Director
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 7, 2012, at 6:07 p.m. in the City Hall Council Chambers.

INVOCATION and PLEDGE

Pastor Robert Fredricks, of the First Assembly of God Church, gave the Invocation. Boy Scout Troop 401 and Cub Scouts led the Pledge of Allegiance.

MINUTES

Councilmember Fajkus moved to approve the minutes of the regular session of April 16, 2012; seconded by Councilmember Edge. Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Fajkus, Mills and Russell. Noes – 0.

ORDER OF AGENDA

Mari Macomber asked that Item #3 under Action Presentations – an Ordinance accepting the Final Plat of the West End Development Subdivision - be removed from the Agenda. There was a misunderstanding on what the request was for. Councilmember Mills moved to approve the Order of the Agenda as amended; seconded by Councilmember Fajkus. Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Fajkus, Mills and Russell. Noes – 0.

INFORMATION PRESENTATION

Done.

CITIZEN PARTICIPATION

UNFINISHED BUSINESS

None.

ACTION PRESENTATIONS

Amendment to Budget for Bear Creek 9 Completion

Councilmember Fajkus moved to approve an amendment to the City's budget for fiscal year 2012 due to adjustments needed to complete Bear Creek 9; seconded by Councilmember Edge.

Typically a budget amendment is presented in Ordinance form, but the budget will be amended at the end of the year to include the adjustment of \$50,000 from the Capital Improvements Sales Tax, and \$40,000 from the General Fund.

Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Fajkus, Mills and Russell. Noes – 0.

BILL NO. 2012-26

AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING A LOT SPLIT WHICH IS PART OF A TRACT OF LAND LOCATED AT 1300 COUNTRY CLUB DRIVE IN KIRKSVILLE, MISSOURI.

Councilmember Fajkus moved to approve Bill No. 2012-26 on first reading; seconded by Councilmember Edge.

In 2001, the property owner, Searcy and Wayman Development Company, ordered a field survey of a lot of land at this address. The lot split was approved and was recorded. Recently an error was discovered in the legal description. The property owner requested a correction and re-approval. The block number in the legal description has been corrected, and the documents will be recorded.

Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Fajkus, Mills and Russell. Noes – 0.

Sidewalk Repair Loan Program

Councilmember Mills moved to authorize the Mayor to allow the City Manager to approve loans for sidewalk repairs for citizens who meet income guidelines; seconded by Councilmember Fajkus.

Replacement costs for sidewalks has increased, and the City has increased its reimbursement amount to \$2.50 per square foot. Some people do not have the money to pay these costs, especially on corners where there are two sidewalks to replace. A Sidewalk Loan Program is proposed which will loan citizens up to 90% of the total out-of-pocket expenses for repairs if they meet the income levels specified, and then they make monthly payments to the City.

Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Fajkus, Mills and Russell. Noes – 0.

Boat Dock at Hazel Creek

Councilmember Fajkus moved to approve a bid from Shoremaster for a boat dock to be located at Hazel Creek Lake; seconded by Councilmember Edge.

A new Community Assistance Program (CAP) agreement with the Missouri Department of Conservation requires a courtesy dock to connect to the shore. Shoremaster was the low bid at \$22,225.11.

Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Fajkus, Mills and Russell. Noes – 0.

City Hall Roof Repair

Councilmember Fajkus moved to approve a bid from Jeremy Hettinger Construction Company for replacement of the City Hall roof; seconded by Councilmember Edge.

The 2011 wind storm resulted in the loss of several shingles from the City Hall roof. Insurance is paying \$5,500 for repairs. Due to age and condition of the roof, it was determined that replacement of the roof would be best, and use the insurance funds toward the total repair. Total project cost from Jeremy Hettinger Construction is \$45,775.

Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Fajkus, Mills and Russell. Noes – 0.

Reclaimer and Pavement Heater

Councilmember Fajkus moved to authorize the purchase of a 2012 combination reclaimer and pavement heater from KASI Infrared Corporation to support the Street Maintenance Division's asphalt street maintenance program; seconded by Councilmember Edge. Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Fajkus, Mills and Russell. Noes – 0.

Buddy Bass Tournament use of Forest Lake

Councilmember Fajkus moved to approve a request for tournament use of Forest Lake on Saturday, May 12, 2012, and to allow outboard motors exceeding 90 hp to idle at a speed not to exceed 10 mph between the hours of 7:00 a.m. and 3:00 p.m.; seconded by Councilmember Edge. Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Fajkus, Mills and Russell. Noes – 0.

Kirksville Industrial Development Authority Re-appointment

Councilmember Fajkus moved to confirm the City Manager's appointment of Burt Beard to serve a six-year term on the Kirksville Industrial Development Authority; seconded by Councilmember Edge. Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Fajkus, Mills and Russell. Noes – 0.

Board of Adjustment Appointment

Councilmember Fajkus moved to approve the re-appointment of Bob Ehrlich to the Board of Adjustment, and Doyle Dover and Gary Rogers as alternates for five-year terms; seconded by Councilmember Edge. Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Fajkus, Mills and Russell. Noes – 0.

Second Reading

AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING A LOT SPLIT WHICH IS PART OF A TRACT OF LAND LOCATED AT 1300 COUNTRY CLUB DRIVE IN KIRKSVILLE, MISSOURI.

WHEREAS, a tract of land situated in Lot 2, Block 1, Country Club Plaza, City of Kirksville, Adair County, Missouri has been regularly certified by Edward A. Cleaver, licensed surveyor number LS 1241; and

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

Beginning at the Southeast corner of said Lot 2; thence along the Line dividing Lots 2 and 3, South 87 degrees 16 minutes 15 seconds West, a distance of 205.00 feet; thence leaving the last described line, North 0 degrees 45 minutes 00 seconds East, a distance of 75.00 feet; thence North 87 degrees 16 minutes 15 seconds East, a distance of 204.00 feet to the Westerly right of way of Country Club Plaza Drive, 60 feet Wide, being a point on a curve; thence along the arc of a curve to the right, having a radius of 470.00 feet, a central angle of 3 degrees 44 minutes 25 seconds, and a chord of 30.68 feet bearing South 1 degree 07 minutes 12 seconds East; a distance of 30.68 feet to the point of tangent; thence South 0 degrees 44 minutes 57 seconds West, a distance of 44.28 feet to the POINT OF BEGINNING; said described tract containing 15330 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 plat of land created by the Lot Split.

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 as described above at 1300 Country Club Drive be 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.

This ordinance shall be effective from and after the date of its passage.

Councilmember Fajkus moved to adopt Bill No. 2012-26 on second reading; seconded by Councilmember Edge. Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Fajkus, Mills and Russell. Noes – 0.

Council Comments

Mayor Detweiler asked the Council if they could meet in a Special Session this Thursday at 5:00 p.m. to consider a rezoning request from Ken Read. This request was related to the item that was removed from tonight's Council agenda.

Adjournment

There being no further business to come before the Council, Councilmember Fajkus moved to adjourn to an Executive Session regarding a Litigation matter (RsMO 610.021(1)) and a Specifications Matter (RsMO 610.021(11)); seconded by Councilmember Russell.

The City Clerk took a roll call vote: Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Fajkus, Mills and Russell. Noes – 0.

Mayor Detweiler declared the meeting adjourned at 6:34 p.m.

Vickie Brumbaugh, CMC MRCC
City Clerk