

# JOURNAL OF THE CITY COUNCIL

Regular Session – January 5, 2009

## COUNCIL & STAFF PRESENT:

Martha Rowe	Mayor
Aaron Rodgerson	Councilmember
Todd Kuhns	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
Jim Hughes	Police Chief
Melanie Smith	Community Services Director

ABSENT: Jill McCord                      Councilmember

The City Council of the City of Kirksville, Missouri, met in a Regular Session on Monday, January 5, 2009, at 5:30 p.m. in the City Hall Council Chambers.

[The meeting was not filmed due to the KTRM staff being on holiday leave.]

## **INVOCATION/PLEDGE**

Pastor Dan Green of the Church of Christ gave the Invocation. The Mayor and Council led the Pledge of Allegiance.

## **MINUTES**

Councilmember Rodgerson moved to approve the minutes of the regular session of December 15, 2008; seconded by Councilmember Kuhns. The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Detweiler – aye; Kuhns – aye; McCord – absent; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

## **ORDER OF AGENDA**

No changes.

## **INFORMATION PRESENTATION & PUBLIC HEARING**

None.

## **CITIZEN PARTICIPATION**

None.

## **OLD BUSINESS**

### ***Policy for Consumption of Alcohol on City Property (Was tabled at December 1, 2008 meeting)***

Councilmember Detweiler moved to remove from the table a motion to approve a policy for consumption of alcohol on City property; seconded by Councilmember Kuhns. The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Detweiler – aye; Kuhns – aye; McCord – absent; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

Councilmember Detweiler moved to approve a policy for consumption of alcohol on City property. For lack of a second, the motion died.

Mayor Rowe reported there is are two new policies for the Council to consider. City Attorney Howard Hickman suggested that the policies be considered separately.

### **Private Special Events at Rotary Park Amphitheater**

Councilmember Kuhns moved to approve a policy for Consumption of Alcohol for Private Special Events at Rotary Park Amphitheater; seconded by Councilmember Detweiler.

Councilmember Rodgerson stated that this subject has generated a lot of concern from people to him through e-mail's and phone calls with no positive input. No one he has heard from is in favor of these policies.

Councilmember Kuhns said he had heard from three concerned citizens through e-mail and phone calls, and once he explained the policy and limitations, all three said they understood.

Councilmember Detweiler stated said most people he heard from were either neutral or for it, as long as the rules are followed.

Councilmember Rodgerson said if the Council passes this policy, he would like for the Council to review the policy in a year.

City Manager Macomber explained that there are ordinance changes to be made after the policy is adopted.

Nate Burns, 914 West Burton, addressed the Council, saying that the effects of alcohol do not stop at the parking lot of the facility. It affects those at home. There are other ways to generate revenue.

Elisabeth Burns, 914 West Burton, stated that their children will grow up here. The effects of alcohol go out on our streets. She asked the Council to consider its affect on our community.

Ralph Wheeler, Pastor of a church, 1605 North Elson, asked the Council to reconsider and not approve this policy. He asked who will monitor what alcohol is brought on the premises.

Mari Macomber clarified that this policy does not generate revenue. The other public events policy could enhance revenue.

The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Detweiler – aye; Kuhns – aye; McCord – absent; Rodgerson – nay. 3 Ayes; 1 Nay; 1 Absent.

### **Public Special Events at the Airport, North Park and Rotary Park Amphitheater**

Councilmember Kuhns moved to approve a Policy for Consumption of Alcohol for Public Special Events on City Property (Airport, North Park and Rotary Park Amphitheater); seconded by Councilmember Detweiler.

Jim Gates, 612 East Hickory, urged the Council not to approve this policy.

Nora Gates, 612 East Hickory, said there are bound to be problems when alcohol is involved.

Nate Burns, 914 West Burton, asked the Council what positive thing is there to allow drinking?

The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Detweiler – aye; Kuhns – aye; McCord – absent; Rodgerson – nay. 3 Ayes; 1 Nay; 1 Absent.

### **ACTION PRESENTATIONS**

#### **Computer Seat Management Lease w/ETC ComputerLand**

Councilmember Kuhns moved to approve the purchase of a new three-year Computer Seat-Management Lease from the bidder ETC ComputerLand of Kirksville and Quincy; seconded by Councilmember Rodgerson.

Cherie Bryant reported in 2005 the City approved a three-year seat management lease with ETC ComputerLand, and the lease expires today, January 5. ETC ComputerLand was the only bidder for a three-year investment of \$54,000.

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

#### **Appointment to KIDA**

Councilmember Kuhns moved to approve the City Manager's re-appoint of Dr. James Don Smith to the Kirksville Industrial Development Authority; seconded by Councilmember Rodgerson. The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Detweiler – aye; Kuhns – aye; McCord – absent; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

#### **Liquor License Change of Ownership – Smitty's Westport Package**

Councilmember Detweiler moved to approve liquor licenses for Smitty's Westport Package Liquor LLC, change of ownership - contingent upon the City business license being obtained prior to opening; seconded by Councilmember Kuhns. The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Detweiler – aye; Kuhns – aye; McCord – absent; Rodgerson – nay. 3 Ayes; 1 Nay; 1 Absent.

#### **Comments**

City Manager Macomber announced the next Council meeting will be held Monday, January 26, since the next regular meeting falls on a holiday of January 19.

#### **Adjournment**

Councilmember Detweiler moved to adjourn; seconded by Councilmember Kuhns. Mayor Rowe adjourned the meeting at 6:15 p.m. The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Detweiler – aye; Kuhns – aye; McCord – absent; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

Vickie Brumbaugh, CMC, MRCC  
City Clerk