

COUNCIL & STAFF PRESENT:

Martha Rowe	Mayor
Aaron Rodgerson	Council member
Todd Kuhns	Council member
Richard L. Detweiler	Council member
Howard Hickman	City Attorney
Mari E. Macomber	City Manager
Vickie Brumbaugh	City Clerk
Randy Behrens	Fire Chief
Steve Bell	Community Services Director
John Buckwalter	Public Works Director
Laura Guy	Finance Director
Jim Hughes	Police Chief
Brad Selby	Codes Administrator

Absent: Jill McCord Council member

The City Council of the City of Kirksville, Missouri, met in a Regular Session on Monday, September 15, 2008, at 5:30 p.m. in the City Hall Council Chambers.

INVOCATION/PLEDGE

Council Member Aaron Rodgerson gave the Invocation. The Council led the Pledge of Allegiance.

MINUTES

Council member Rodgerson moved to approve the minutes of the special sessions of August 25 and 27, 2008; seconded by Council member Detweiler. The motion carried by the following vote: Mayor Rowe, aye; Council members: Detweiler – aye; Kuhns – aye; McCord – absent; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

ORDER OF AGENDA

Council member Detweiler moved to approve the order of the agenda; seconded by Council member Kuhns. The motion carried by the following vote: Mayor Rowe, aye; Council members: Detweiler – aye; Kuhns – aye; McCord – absent; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

INFORMATION PRESENTATION

Mayor Rowe presented the Distinguished Budget Award, from the Government Finance Officers Association, to Finance Director Laura Guy.

CITIZEN PARTICIPATION

Becki Minear, 1409 South Lewis, said she received a violation letter for parking a recreation vehicle in her driveway. She stated that there is no room at the side or near the alley to locate the 28 foot RV. Ms. Minear does not want to store the unit, and had parked it at the fairgrounds previously when it was vandalized twice.

OLD BUSINESS

BILL NO. 2008-30

RESOLUTION NO. R9-15-568

A RESOLUTION TO RESCIND THE SPECIAL USE PERMIT APPROVED UNDER ORDINANCE #11478 ON NOVEMBER 20, 2000, TO 1318 E. NORMAL STREET, FOR A BED AND BREAKFAST BUSINESS, IF 25% OF THE DRIVEWAY AND PARKING AREA IS NOT HARD SURFACED BY AUGUST 29, 2008.

WHEREAS, Tiffany Platte, sole owner of 1318 E. Normal Street applied for and was given a Special Use Permit for the operation of a Bed and Breakfast business at 1318 E. Normal Street on November 20, 2000, with two stipulations, and

WHEREAS, one of the stipulations for the Special Use Permit was that the driveway and parking areas be hard surfaced within 5 years, and

WHEREAS, these hard surface parking improvements have not been done by the owner, even though 7 ½ years time has elapsed, and

WHEREAS, a Public Hearing was duly advertised and held at the City Council meeting in City Hall on August 4, 2008, to hear the matter of rescinding the Special Use Permit,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Kirksville, Missouri, hereby authorizes the rescinding of the Special Use Permit for 1318 E. Normal Street, if the Codes & Planning Director determines on August 29, 2008, that 25% of the hard surfacing of the parking and driveway areas is not complete.

[Tabled at the August 4, 2008 City Council meeting.]

Council member Rodgerson moved to remove Bill No. 2008-30 from the table; seconded by Council member Kuhns. The motion carried by the following vote: Mayor Rowe, aye; Council members: Detweiler – aye; Kuhns – aye; McCord – absent; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

Brad Selby reported that Tiffany Platte was given a special use permit in 2000, approved by the Planning and Zoning Commission, with two stipulations – hours of business which has been complied with; and that the owner shall hard surface the designated parking area and driveways within a five-year period. The permit expired on November 20, 2005. The requirements were discussed with Ms. Platte in November of 2007, it was agreed to allow her to reduce the amount of driveway to pave, and allowed more time to complete the work. On November 14, 2007, a letter was sent to Ms. Platte and directed her to hard surface at least 25 percent of the drive and parking area by May 1, 2008, and the remaining 75 percent by the end of 2009. On June 10, 2008, the City allowed again an extension of time to July 14 for the 25% of the work to be completed. Once again, another reduction to bare bones requirements from its originality was given until August 29, and again no work has been done. At the public hearing, there was mention by neighbors there was a concern that the property would revert back to apartments, but this cannot happen due to the zoning in this neighborhood. Mr. Selby reported that \$6,800 would cover the cost of a whole parking area, and \$1700 would do the 25 percent. A low interest loan was offered to her, but she did not respond back. He also reported that the paving requirement was required by the Planning and Zoning Commission, was still a requirement at the Council meeting, and it was pointed out again in the November letter from Paul Frazier, Code Administrator at that time. City staff asked the Council to rescind the Special Use Permit.

Tiffany Platte addressed the Council by asking if the original stipulations are still on the table. Staff members explained that they were not.

The motion to rescind the Special Use Permit carried by the following vote: Mayor Rowe, aye; Council members: Detweiler – aye; Kuhns – aye; McCord – absent; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

ACTION PRESENTATIONS

BILL NO. 2008-35

RESOLUTION NO. R9-15-570

A RESOLUTION OF APPRECIATION TO THE FIRE, POLICE AND PUBLIC WORKS DEPARTMENTS FOR THEIR PROFESSIONAL SERVICES RENDERED DURING THE FLOOD WATER STORM OF JULY 24 AND 25, 2008.

WHEREAS, on July 24, 2008, a heavy rainfall began, and ended during the morning hours of July 25, producing 12 inches of flood waters upon the Kirksville community; and

WHEREAS, approximately 30 intersections were closed due to flooding, with 15 motorists reported stranded; and

WHEREAS, the emergency personnel of the Police Department provided much needed assistance to the stranded motorists, the placement of barricades, identifying safety issues such as missing manhole covers, coordinating responses to those locations, in addition to responding to regular calls; and

WHEREAS, the Fire Department emergency personnel went to several homes to pull electrical meters and shut off power before water reached the electrical panels located in basements, assisted stranded motorists and placement of barriers, and also put out a general alarm in anticipation of the storm for assistance preparation;

WHEREAS, the Public Works Department employees were called out to clear debris, clean storm drains, including locking and barricading drainage areas, performed emergency repair on sanitary sewer and damaged water lines; and after the storm, they repaired streets and storm drains; and

WHEREAS, each employee of the Fire, Police and Public Works Department is to be highly commended for their skillful actions, quick responses, professional manner and devoted service conducted during and after the flooding storm that hit Kirksville on July 24 and 25.

NOW, THEREFORE, be it resolved that sincere appreciation of the City Council, the City Manager and all citizens of this community are hereby extended to the Fire, Police and Public Works employees of the City of Kirksville.

KIRKSVILLE – WHERE PEOPLE MAKE THE DIFFERENCE

Council member Rodgerson moved to approve Bill No. 2008-35; seconded by Council member Kuhns. The motion carried by the following vote: Mayor Rowe, aye; Council members: Detweiler – aye; Kuhns – aye; McCord – absent; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

Mayor Rowe will present a framed Resolution to each department this week.

AmerenUE Overhead Lines at Airport

Council member Kuhns moved to authorize the City Manager to enter into an agreement with Ameren UE for obstruction removal pertaining to converting 2250 feet of overhead electric lines to underground at the Kirksville Regional Airport for the amount of \$163,957; seconded by Council member Rodgerson.

Steve Bell reported this obstruction was identified by the FAA and recommended for removal to an underground service at an estimated cost of \$300,000. Engineering got the estimate down to \$163,957, and \$147,561 will be reimbursed to the City. Therefore, the City's cost will be \$16,395.

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

Skatepark Construction Agreement

Council member Detweiler moved to authorize the City Manager to enter into an agreement with Suburban Rails in the amount of \$120,000 for the construction of a Skate Park; seconded by Council member Kuhns.

Steve Bell reported proposals were evaluated for different materials to be used. Suburban Rails was selected for their superior design and extensive experience in developing and constructing skate parks.

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

Change Order – Jefferson Street Reconstruction

Council member Rodgerson moved to approve a change order to the agreement with Mihalevich Concrete Construction for Jefferson Street Reconstruction, Project ST-08-003 to add base repair, adjust storm drainage work and adjust actual quantities installed at a cost of \$48,066.62; seconded by Council member Detweiler.

John Buckwalter reported that during the reconstruction work, several changes to the storm drainage system had to be made; unsuitable base material was found, requiring excavation and replacement with stone; there was an error in the quantities listed in the bid; and additional costs for electrical relocations and replacements.

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

Bid - Mower

Council member Rodgerson moved to approve a bid from Sydenstricker for a John Deere Model 1565 Series II Commercial mower with mowing deck, blade, broom and snow blower for a cost of \$31,175; seconded by Council member Detweiler.

John Buckwalter reported this mower supports the parks and trails.

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

Liquor License – Main Street Bulldog

Council member Detweiler moved to approve a liquor license for Main Street Bulldog, which will be contingent upon the City business license being obtained prior to opening; seconded by Council member Kuhns. The motion carried by the following vote: Mayor Rowe, aye; Council members: Detweiler – aye; Kuhns – aye; McCord – absent; Rodgerson – nay. 3 Ayes; 1 Nay; 1 Absent.

Boat Use on Hazel Creek Lake

Council member Rodgerson moved to approve the use of a john boat, owned and operated by the Missouri Department of Conservation, on Hazel Creek Lake for September 27 as part of the Watershed Management Commission Stakeholders event.

City Manager Mari Macomber explained the Watershed Management Commission is responsible for developing plans and procedures for two water sheds. City Ordinance says only certain entities can use motor boats on the lakes. On September 27, the Watershed Management Commission will hold an event. Boat tours of the lake will be given by the Department of Conservation, and therefore use of that boat on the water is requested.

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

Comments

Council member Detweiler asked if the Council could discuss their support of the various housing projects. City Manager Macomber suggested talking about this at the Council Retreat this Thursday, September 18.

Adjournment

Council member Rodgerson moved to adjourn; seconded by Council member Detweiler. The motion carried by the following vote: Mayor Rowe, aye; Council members: Detweiler – aye; Kuhns – aye; McCord – absent; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

Mayor Rowe adjourned the meeting at 6:35 p.m.

Vickie Brumbaugh, CMC, MRCC
City Clerk