

# **JOURNAL OF THE CITY COUNCIL**

*Regular Session – November 3, 2008*

## **COUNCIL & STAFF PRESENT:**

Martha Rowe	Mayor
Jill McCord	Councilmember
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
Brad Selby	Codes Administrator

The City Council of the City of Kirksville, Missouri, met in a Regular Session on Monday, November 3, 2008, at 5:30 p.m. in the City Hall Council Chambers.

[Camera men from KTRM-TV News 36 were present to film the City Council meeting for the first time, to be broadcast on the City's Cable Channel 3 in its entirety.]

## **INVOCATION/PLEDGE**

A representative of the Mary Immaculate Catholic Church gave the Invocation. Cub Scout Pack 401 led the Pledge of Allegiance.

## **MINUTES**

Councilmember McCord moved to approve the minutes of the regular session of October 20, 2008; seconded by Councilmember Rodgerson. The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Detweiler – aye; Kuhns – aye; McCord – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

## **ORDER OF AGENDA**

Mari Macomber announced that the award presentation will be rescheduled since the person could not be at the meeting.

Mari Macomber explained that Steve Barber leases a hangar at the airport. Mr. Barber is requesting re-assignment of the lease to Bank Northwest of Hamilton. Mr. Barber is obtaining a loan from this bank and they would hold the lease for security. The paperwork in hand has some handwritten modifications. Councilmember Rodgerson moved to add this request to the Agenda; seconded by Councilmember Detweiler. The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Detweiler – aye; Kuhns – aye; McCord – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

## **INFORMATION PRESENTATION & PUBLIC HEARING**

AmerenUE Annual Report – No one was in attendance to give the report.

## **CITIZEN PARTICIPATION**

None.

## **ACTION PRESENTATIONS**

**BILL NO. 2008-43**

**RESOLUTION NO. R11-3-574**

**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. [for Historic Preservation Consultant]**

**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**, that the City proposes to contribute \$2,500 in-kind support and has applied for support through the Missouri Department of Natural Resources Historic Preservation Fund Grants requesting \$8,100 federal support, \$2,500 cash and \$2,900 labor for a similar project encompassing the balance of the city limits of Kirksville outside of the downtown redevelopment area. Total CDBG funds requested for this project is \$12,000.

Councilmember Kuhns moved to approve Bill No. 2008-42; seconded by Councilmember Rodgerson.

Cherie Bryant reported the City has the opportunity to hire a historic preservation consultant to assist in the process of becoming a Certified Local Government. Funds have been requested from the Missouri Department of Natural Resources for community-wide assessment, and are eligible to apply for CDBG funds to survey and evaluate the area bounded by Marion on the east, Missouri on the north, old Norfolk & Western Railroad on the west and Jefferson Street on the south. City proposes to contribute \$2,500 in-kind support.

The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Detweiler – aye; Kuhns – aye; McCord – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

**BILL NO. 2008-43**

**RESOLUTION NO. R11-3-575**

**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. [for renovation of Cochran Building downtown]**

**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 prepare 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** that the City of Kirksville will provide \$2,500 in-kind labor for this project, and the developer will contribute \$562,751. The City is requesting CDBG funds in the amount of \$260,000 to successfully complete the project.

Councilmember Kuhns moved to approve Bill No. 2008-43; seconded by Councilmember Detweiler.

Cherie Bryant reported the City will submit a funding application, in the amount of \$260,000, from the CDBG program on behalf of the Cochran building owners, located at 199 and 121 North Main. The funds will be used for renovation of the building for retail businesses, restaurant and apartments. The City will provide \$2,500 in-kind labor, and the developer will contribute \$562,751.

The architect, Ken Shook was in attendance and presented their preliminary layout. The basement is planned for a restaurant/bar and handicap accessibility. The first floor will be for commercial use. Three apartment units will be small, and two units will be ADA accessible. Another floor will have six units varying in sizes. The elevator is nonfunctioning and will be removed due to the high cost of \$100,000 to condition it for use. The hallways and stairs will be five to six feet wide. One goal is to put in rooftop seating. Mr. Shook added that if approval is not given to proceed with application of funds, the project will not go forward.

The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Detweiler – aye; Kuhns – aye; McCord – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

**BILL NO 2008-44**

**ORDINANCE NO. 11847**

**AN ORDINANCE OF THE CITY OF KIRKSVILLE MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN AND EXECUTE, ON BEHALF OF THE CITY, THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION COST APPORTIONMENT AGREEMENT FOR ALTERNATE ROUTE 63.**

Councilmember McCord moved to adopt Bill No. 2008-44 on first reading; seconded by Councilmember Detweiler.

City Manager Mari Macomber explained the Council approved this request previously by motion, which is within City protocol policy. After sending the signed agreement to the Missouri Department of Transportation, the City was informed that an ordinance is preferred for their records. The City wishes to respond to their document request.

The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Detweiler – aye; Kuhns – aye; McCord – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

**Change Order – Mihalevich Contract**

Councilmember Kuhns moved to approve a change order to the agreement with Mihalevich Construction; seconded by Councilmember Detweiler.

Mari Macomber reported all projects are budgeted. A change order is necessary for the 2008 concrete pavement repair, to add construction of Cottage Grove and Patterson sidewalks, parking lot repair at North Park, and repairs on Harrison Street following the installation of a new waterline.

The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Detweiler – aye; Kuhns – aye; McCord – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

**Bid – Playground Structure at Brashear Park**

Councilmember Rodgerson moved to approve a bid from ABC Creative for \$17,900 for the installation of a playground structure at Brashear Park; seconded by Councilmember Kuhns.

City Manager Macomber reported the City’s insurance provider has said that the structure does not meet industry standards and therefore has been identified by MIRMA as a hazard. The playground replacement project is to take place over two years, this being the first phase. Mrs. Macomber further reported that the City of Brashear is aware of the condition of the playground equipment and is interested to obtain the structure.

The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Detweiler – aye; Kuhns – aye; McCord – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

**Committee/Board Appointments**

Councilmember Detweiler moved to re-appoint Mari Macomber to the Tourism Commission for a three-year term, and appoint Cherie Bryant to fill the term (vacated by the resignation of Kris McKim) on the Tourism Commission; appoint Judy Duden to the Lakes, Park and

Recreation Commission, as the School District representative, replacing Kim Bailey; and re-appoint Jim Gillum and Ruth Carter to the Housing Authority Board.

The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Detweiler – aye; Kuhns – aye; McCord – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

**Expenditure of Funds for Exterior/Interior Work on Police & Fire Stations**

Councilmember McCord moved to approve allocation of city funds for Fire Station roof repairs and Police Station office renovations; seconded by Councilmember Rodgerson.

City Manager Macomber explained that the Fire Station has some leak areas in the roof that are in need of repair. The Police Chief's office has partial walls (not extended to the ceiling) which allows for all conversation sound to be heard from the station's waiting area. The walls would be extended and soundproofed. A wall where the office staff is located, would be torn down to open up the area so that both people can provide backup at the window.

The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Detweiler – aye; Kuhns – aye; McCord – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

**Bid – Exterior/Interior Work on Police & Fire Stations, City Hall**

Councilmember Detweiler moved to approve a bid for work on the Police and Fire Stations; seconded by Councilmember Kuhns.

Code Administrator Brad Selby reported that \$13,115 is requested for the work to be done. DeLeon Construction was the low bidder on roof repairs. The Wilson Group, of Greenwood, Missouri, was the low bidder on the exterior work in the Police Department. Additional work on the City Hall guttering, roof repair and painting will be done.

The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Detweiler – aye; Kuhns – aye; McCord – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

**Second Reading**

**BILL NO 2008-44**

**ORDINANCE NO. 11847**

**AN ORDINANCE OF THE CITY OF KIRKSVILLE MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN AND EXECUTE, ON BEHALF OF THE CITY, THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION COST APPORTIONMENT AGREEMENT FOR ALTERNATE ROUTE 63.**

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

Section 1. That the City Council approves and accepts the Cost Apportionment Agreement for Alternate Route 63, attached hereto and incorporated by reference herein, to be entered into by the City of Kirksville and the Missouri Highways and Transportation Commission.

Section 2. That the Mayor and City Clerk of the City of Kirksville are hereby authorized and empowered to sign and execute the Cost Apportionment Agreement, providing for improvements to Route 63 as described within the agreement.

Section 3. That all ordinances or parts of ordinances therefore enacted, which are in

conflict herewith are hereby repealed.

Section 4. This ordinance shall be in full force and effect from and after the date of its passage and approval.

Councilmember Kuhns moved to adopt Bill No. 2008-44 on second reading; seconded by Councilmember Rodgerson. The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Detweiler – aye; Kuhns – aye; McCord – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

**Barber Airport Hangar Lease**

Councilmember Rodgerson moved to approve the assignment of the airport lease in the name of Steve Barber to the Bank Northwest; seconded by Councilmember Detweiler. As previously reported under “Order of Agenda”, Mr. Barber is obtaining a loan from the Bank and the Bank will hold the lease as security. The motion carried by the following vote: Mayor Rowe, aye; Councilmembers: Detweiler – aye; Kuhns – aye; McCord – aye; Rodgerson – aye. 5 Ayes; 0 Nays.

**Comments**

Councilmember Kuhns thanked the KTRM-TV for videotaping the Council meeting.

**Adjournment**

Councilmember McCord moved to adjourn to an Executive Session regarding Personnel RsMO 610.021(3) and Labor Negotiations RsMO 610.021(9); seconded by Councilmember Rodgerson. The motion carried by the following roll call vote by the City Clerk: Mayor Rowe, aye; Councilmembers: McCord – aye; Rodgerson – aye; Kuhns – aye; Detweiler – aye. 5 Ayes; 0 Nays.

Mayor Rowe adjourned the meeting at 6:15 p.m.

Vickie Brumbaugh, CMC, MRCC  
City Clerk