

COUNCIL & STAFF PRESENT:

Richard Detweiler	Mayor
Roger A. Edge	Councilmember
Jerry Mills	Councilmember
Robert L. Russell	Councilmember
Howard Hickman	City Attorney
Mari Macomber	City Manager
Vickie Brumbaugh	City Clerk
John Buckwalter	Public Works Director
Sarah Halstead	Community Services Coordinator
Jim Hughes	Police Chief
Ed Ieans	City Engineer
Katie Myers	Finance Director
Brad Selby	Codes Administrator
Melanie Smith	Assistant to City Manager

Absent: Tony Fajkus Councilmember

The City Council of the City of Kirksville, Missouri, met in a Regular Session on Monday, January 7, 2013, at 6:05 p.m. in the City Hall Council Chambers.

INVOCATION and PLEDGE

Reverend Glenn Archer, Faith Baptist Church, gave the Invocation. Mayor Detweiler led the Pledge of Allegiance.

MINUTES

Councilmember Russell moved to approve the minutes of the regular session of December 17, 2012; seconded by Councilmember Mills. Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Mills and Russell. Noes – 0. Absent: Fajkus.

ORDER OF AGENDA

Councilmember Mills moved to approve the Order of the Agenda; seconded by Councilmember Edge. Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Mills and Russell. Noes – 0. Absent: Fajkus.

INFORMATION PRESENTATION

Mayor Detweiler opened the Public Hearing at 6:07 p.m. to hear comments regarding the CDBG closeout of a \$300,000 Community Development Block grant used for storm water improvements in the Bear Creek 9 area.

There being no comments, Mayor Detweiler closed the Public Hearing at 6:09 pm.

CITIZEN PARTICIPATION

None.

UNFINISHED BUSINESS

None.

ACTION PRESENTATIONS

BILL NO. 2013-01

AN ORDINANCE CALLING A SPECIAL ELECTION ON A REVENUE BOND QUESTION IN THE CITY OF KIRKSVILLE, MISSOURI.

Councilmember Edge moved to approve Bill No. 2013-01 on first reading; seconded by Councilmember Mills.

After seeking qualifications from engineering firms in August 2010, HDR Engineering began designing necessary improvements for the wastewater plant, to be completed by August 2013. Due to the cost of improvements, revenue bonds will need to be obtained to cover the costs and also obtain voter approval to go into debt.

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

BILL NO. 2013-02

AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING A LOT SPLIT WHICH IS PART OF A TRACT OF LAND LOCATED AT 216 NORTH NEW STREET IN KIRKSVILLE, MISSOURI.

Councilmember Edge moved to approve Bill No. 2013-02 on first reading; seconded by Councilmember Russell.

Peter Rolnick, owner of 216 North New Street, requested a lot split off the south part of his lot. This section consists of .12 acres directly behind the lot of 214 North New Street, owned by Kelly Rogers, who has agreed to purchase this parcel, combining it with the existing lot. Meets all requirements.

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

BILL NO. 2013-03

AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING A LOT SPLIT WHICH IS PART OF A TRACT OF LAND LOCATED AT 1212 SOUTH LEWIS STREET IN KIRKSVILLE, MISSOURI.

Councilmember Edge moved to approve Bill No. 2013-03 on first reading; seconded by Councilmember Russell.

Shingmin Wang, owner of 1212 South Lewis Street, requested a lot split off the north end of his lot. This section consists of .12 acres which a neighbor plans to purchase. Meets all requirements.

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

Bid – Water Treatment Chemicals

Councilmember Edge moved to approve the purchase of water treatment chemicals from various vendors; seconded by Councilmember Mills. Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Mills and Russell. Noes – 0. Absent: Fajkus.

Bid – Fire Hydrants

Councilmember Edge moved to approve the bid of Winwater for fire hydrants, fire hydrant extensions, valves, valve boxes and traffic repair kits at a cost of \$85,653; seconded by Councilmember Mills. Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Mills and Russell. Noes – 0. Absent: Fajkus.

Bid – Crushed Rock

Councilmember Edge moved to approve the purchase of rock for 2013 from Fountain Trucking Company in the amount of \$32,500; seconded by Councilmember Mills. Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Mills and Russell. Noes – 0. Absent: Fajkus.

Bid – Waterline Bores

Councilmember Edge moved to approve a bid from Trenchless Flowline Inc. of Columbia to perform pipeline bores in 2013; seconded by Councilmember Mills. It is estimated that boring in 2013 will total \$25,000. Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Mills and Russell. Noes – 0. Absent: Fajkus.

Lakes, Parks & Recreation Comm Re-appointments

Councilmember Edge moved to re-appoint Judy Duden, Yvette Amerman and Dan Green to the Lakes, Parks and Recreation Commission; seconded by Councilmember Mills. Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Mills and Russell. Noes – 0. Absent: Fajkus.

Council Policy #2 – Purchasing – Amendment

Councilmember Edge moved to approve a revision to Council Policy #2 – Purchasing, Section 4.5 Open and Blanket Purchase Orders; seconded by Councilmember Mills.

The interpretation of the word “department” in the policy meant different things to different people, therefore the word is to be changed to “division”, which allows the various divisions such as street maintenance to make a purchase up to \$500 when necessary parts are needed.

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

Second Reading of Ordinances

BILL NO. 2013-01

ORDINANCE NO. 12037

**AN ORDINANCE CALLING A SPECIAL ELECTION ON A REVENUE
BOND QUESTION IN THE CITY OF KIRKSVILLE, MISSOURI.**

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

Section 1. The Council finds it necessary and hereby declares its intent to borrow \$18,000,000 for the purpose of paying costs of improving and extending the combined waterworks and sewerage system of the City, including an extensive upgrade of the wastewater treatment facility to comply with state requirements and to increase treatment capacity (the "Project") and to evidence such borrowing by the issuance of combined waterworks and sewerage system revenue bonds (the "Bonds") of the City in the amount of \$18,000,000.

Section 2. A special bond election is hereby ordered to be held in Kirksville, Missouri, concurrently with the general municipal election, on Tuesday, April 2, 2013, on the following question:

QUESTION

Shall the City of Kirksville, Missouri, issue its combined waterworks and sewerage system revenue bonds in the amount of \$18,000,000 for the purpose of paying costs of improving and extending the combined waterworks and sewerage system of the City, including an extensive upgrade of the wastewater treatment facility to comply with state requirements and to increase treatment capacity, the cost of operation and maintenance of said combined waterworks and sewerage system and the principal of and interest on said revenue bonds to be payable solely from the revenues derived by the City from the operation of its combined waterworks and sewerage system, including all future improvements and extensions thereto?

The authorization of the Bonds will authorize the City to fix, establish, maintain and collect rates and charges for the services provided by the City through its combined waterworks and sewerage system, including all extensions and improvements thereto hereafter constructed or acquired by the City, in addition to the other rates and charges for such services provided by law, as will produce income and revenues sufficient to provide funds to pay the costs of operation and maintenance of said combined waterworks and sewerage system and the principal of and interest on the Bonds as they become due and to provide for the establishment of reasonable reserves therefor.

Section 3. The form of Notice of Special Election showing said question, a copy of which is attached as **Exhibit A** hereto and made a part hereof, is hereby approved.

Section 4. The City Clerk is hereby authorized and directed to notify the County Clerk of Adair County, Missouri, of the passage of this Ordinance no later than 5:00 P.M. on

Tuesday, January 22, 2013, and to include in said notification all of the terms and provisions required by Chapter 115, RSMo, as amended.

Section 5. The City expects to make expenditures on and after the date of passage of this Ordinance in connection with the Project, and the City intends to reimburse itself for such expenditures with the proceeds of the Bonds. The maximum principal amount of Bonds expected to be issued for the Project is \$18,000,000.

Section 6. The City hereby engages the firm of Gilmore & Bell, P.C., Kansas City, Missouri, to provide bond counsel services to the City with respect to the Bonds.

Section 7. This Ordinance shall be in full force and effect from and after its passage and approval.

BILL NO. 2013-02 **ORDINANCE NO. 12038**
AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING A LOT SPLIT WHICH IS PART OF A TRACT OF LAND LOCATED AT 216 NORTH NEW STREET IN KIRKSVILLE, MISSOURI.

WHEREAS, a tract of land which is situated in the Northeast Fourth of the Northeast Quarter of Section 9, Township 62 North, Range 15 West, Adair County, Missouri has been split into two separate lots for sale; and

WHEREAS, the survey has been regularly certified by Mark W. Robertson, licensed surveyor number P.L.S. 2008016665; and

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

Description: A tract of land situated in the Northeast Fourth of the Northeast Quarter of Section 9, Township 62 North, Range 15 West, Adair County, Missouri and being more particularly described as follows:

Beginning at a found iron rod being the Southeast corner of a tract of land conveyed to Kelly E. Rogers in Book 924 at Page 737 of the Adair County records; thence along the East line of said tract, North 00° 15' 45" East a distance of 59.00 feet to a found iron rod being the Northeast corner of said tract; thence leaving said line, South 89° 44' 54" East a distance of 85.04 feet to a set iron rod; thence South 00° 15' 45" West a distance of 59.00 feet to a set iron rod; thence North 89° 44' 54" West a distance of 85.04 feet; to the Point of Beginning. The above tract of land contains 0.12 acres, more or less. Subject to easements and restrictions of record, or not of record, if any; and

WHEREAS, the lot under consideration is landlocked, the adjacent landowner Kelly Rogers has agreed to purchase the lot and combine it with his existing residential lot, to meet city lot split requirements; 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 216 North New Street 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.

BILL NO. 2013-03 **ORDINANCE NO. 12039**
AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING A LOT SPLIT WHICH IS PART OF A TRACT OF LAND LOCATED AT 1212 SOUTH LEWIS STREET IN KIRKSVILLE, MISSOURI.

WHEREAS, a tract of land which is a part of Lot 2 of Patterson's First Addition to the City of Kirksville, Section 9, Township 62 North, Range 15 West, Adair County, Missouri has been split into two separate lots; and

WHEREAS, the survey has been regularly certified by Mark W. Robertson, licensed surveyor number P.L.S. 2008016665; and

WHEREAS, the tracts of land are described as follows:

Description of Tract 1: A tract of land situated in part of Lot 2 of Patterson's First Addition to the City of Kirksville, Section 9, Township 62 North, Range 15 West, Adair County, Missouri and being more particularly described as follows:

Commencing at the Northeast corner of said Lot 2; thence South 00° 05' 23" West a distance of 126.00 feet to a set iron rod being the Point of Beginning of the description herein, to wit: thence continue South 00° 05' 23" West a distance of 88.11 feet to a set iron rod; thence North 89° 46' 46" West a distance of 100.14 feet to a set iron rod; thence North 00° 05' 23" East a distance of 90.26 feet to a set iron rod; thence South 88° 32' 47" East a distance of 100.17 feet to the Point of Beginning. The above tract of land contains 0.21 acres, more or less. Subject to easements and restrictions of record, or not of record, if any.

Description of Tract 2: A tract of land situated in part of Lot 2 of Patterson's First Addition to the City of Kirksville, Section 9, Township 62 North, Range 15 West, Adair County, Missouri and being more particularly described as follows:

Commencing at the Northeast corner of said Lot 2; thence South 00° 05' 23" West a distance of 214.11 feet to a set iron rod being the Point of Beginning of the description herein, to wit: thence continue South 00° 05' 23" West a distance of 117.02 feet to a found iron rod; thence North 88° 32' 47" West a distance of 162.30 feet to a found iron rod; thence North 00° 19' 05" West a distance of 5.41 feet to a found iron rod; thence North 89° 46' 26" West a distance of 17.99 feet to a found iron

rod; thence North 00° 05' 23" East a distance of 103.10 feet to a set iron rod; thence South 88° 32' 47" East a distance of 80.16 feet to a set iron rod; thence North 00° 05' 23" East a distance of 6.74 feet to a set iron rod; thence South 89° 46' 46" East a distance of 100.14 feet to the Point of Beginning. The above tract of land contains 0.46 acres, more or less. Subject to easements and restrictions of record, or not of record, if any; 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 1212 South Lewis Street 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.

Councilmember Edge moved to approve Bill No. 2013-01, 2013-02 and 2013-03 on second reading; seconded by Councilmember Russell. Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Mills and Russell. Noes – 0. Absent: Fajkus.

Council Comments

A special meeting of the City Council will be held on January 28 to consider liability insurance, and a business license ordinance.

Adjournment

There being no further business to come before the Council, Councilmember Edge moved to adjourn; seconded by Councilmember Russell. Motion carried: Ayes – Mayor Detweiler; Councilmembers Edge, Mills and Russell. Noes – 0. Absent: Fajkus.

Mayor Detweiler adjourned the meeting at 6:24 p.m.

Vickie Brumbaugh, CMC MRCC
City Clerk