

JOURNAL OF THE CITY COUNCIL

Regular Session – March 17, 2014

COUNCIL & STAFF PRESENT:

Richard Detweiler	Mayor
Jerry Mills	Councilmember
Roger A. Edge	Councilmember
Robert L. Russell	Councilmember
Glen Moritz	Councilmember
Howard Hickman	City Attorney
Mari E. Macomber	City Manager
Vickie Brumbaugh	City Clerk
Ashley Young	Assistant City Manager
Alan Griffiths	Public Works Director
Brad Selby	Code Administrator
Glenn Balliew	Airport Director
Jim Hughes	Police Chief
Lise Fuller	Finance Director
Pat Meredith	Human Resource Director
Sarah Halstead	Community Services Director

The City Council of the City of Kirksville, Missouri, met in a Regular Session on Monday, March 17, 2014, at 6:06 p.m. in the City Hall Council Chambers.

INVOCATION and PLEDGE

Deacon Dave Ream of the Mary Immaculate Catholic Church gave the Invocation. The Girl Scouts led the Pledge of Allegiance.

MINUTES

Councilmember Edge moved to approve the minutes of the regular session of March 3, 2014; seconded by Councilmember Russell. Motion carried: Ayes – Mayor Detweiler; Councilmember Edge, Mills, Russell and Moritz. Noes – 0.

ORDER OF AGENDA

Mayor Detweiler asked if there were any changes to the Order of the Agenda. City Manager Macomber announced the addition of:

- 8. A motion to allow the City Attorney and City Manager to negotiate a lease agreement with Bright Beginnings, Inc.
- 9. A motion to approve the purchase of a Ground Power Unit for the Airport.
- 10. A motion to approve a land lease near the Airport with Chris and Heather Martin.
- 11. (Moved from #8) A motion to approve Ordinances on second reading.

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

INFORMATION PRESENTATIONS & PUBLIC HEARING

Mayor Detweiler read and presented a Proclamation for Developmental Disabilities Month in March.

CITIZEN PARTICIPATION

None.

UNFINISHED BUSINESS

None.

ACTION PRESENTATIONS

BILL NO. 2014-13

AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING A LOT SPLIT WHICH IS PART OF A TRACT OF LAND LOCATED AT 1113 HILDRETH STREET IN KIRKSVILLE, MISSOURI.

Councilmember Edge moved to adopt Bill No. 2014-13 on first reading; seconded by Councilmember Mills.

James and Donna Western wish to split off the south end of the 3.5 acres property to offer it for sale for a building site. All utilities are available and meet the required frontage on LaHarpe Street, resulting in a 2-acre lot.

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

BILL NO. 2014-14

AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING THE SUBDIVISION OF LAND LOCATED ON OR ABOUT THE 1700 BLOCK OF EAST LAHARPE STREET, IN KIRKSVILLE, MISSOURI.

Councilmember Edge moved to adopt Bill No. 2014-14 on first reading; seconded by Councilmember Russell.

The Bank of Kirksville and Rhodes Engineering Company have completed the final plat and plans for development of Eagle Crest Estates Subdivision. The preliminary plan was approved in December 2013. There are 21 lots in the Subdivision.

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

Amendment to Employee Medical/Dental Care Plan

Councilmember Edge moved to adopt an amendment to the City Employee Medical/Dental Care Plan to redefine the maximum amount in the Definitions section of the Summary Plan Description; seconded by Councilmember Mills.

This change will allow HealthScope to contract separately with a Dialysis vendor to save the plan money in the event one of the city members has a need for this service.

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

Bid – Backhoe

Councilmember Edge moved to approve the purchase of a new backhoe from Crown Power and Equipment of Columbia, Missouri; seconded by Councilmember Mills.

The lowest bid of \$103,850 minus a trade-in value of \$57,850 on the existing backhoe, resulted in a cost of \$46,000.

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

Bid – Brush Cutter for Airport

Councilmember Edge moved to approve the purchase of a new brush cutter from Sydenstricker of Kirksville; seconded by Councilmember Mills.

The low bid was \$15,250.

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

Bid – Sign Maintenance Truck

Councilmember Edge moved to approve the purchase of a new sign maintenance truck from Flannegan Western of Emmetsburg, Iowa; seconded by Councilmember Mills.

The low bid was \$58,800.50 minus a trade-in value of \$6,500 for a total cost of \$52,300.50.

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

Bid – Recreation Management Software

Councilmember Edge moved to approve the proposal from RecPro for purchase of recreation management software contingent upon compatibility with the City's existing card services provider; seconded by Councilmember Russell.

The best bid was \$20,530 from RecPro. Although not the lowest bid, it presented a more user-friendly software program for Parks and Recreation staff and customers.

Councilmember Russell questioned the next lower bid of \$15,646 from Sportsman, and did not vote when the vote was taken.

Motion carried: Ayes – Mayor Detweiler; Councilmember Edge, Mills and Moritz. Noes – 0. No Vote: Councilmember Russell.

Lease Agreement with Bright Beginnings

Councilmember Moritz moved to allow the City Attorney and City Manager to negotiate a lease agreement with the Bright Beginnings, Incorporated, a Day Care Center; seconded by Councilmember Mills.

The former Lambert Glove building on Osteopathy is owned by the City and leased by ATSU. A portion of the building is used for office space and storage and the south side was formerly used as a Day Care Center. Another Day Care called Bright Beginnings recently contacted the City with interest to lease the Lambert facility where the former Day Care was located. Their current building is being sold, and they have been given 54 days to vacate. The City Manager will develop the lease, and the City Attorney will review the terms and conditions. The facility will need paint and a noise buffer between the Day Care and offices currently leased by ATSU. Bright Beginnings will want to place a play area near the building similar to the previous Day Care's play area.

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

Purchase of Ground Power Unit for Airport

Councilmember Edge moved to approve the purchase of a Ground Power Unit for the Airport; seconded by Councilmember Moritz.

Airport Director Glenn Balliew described the GPU as a gas powered electrical system.

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

Land Lease at Airport

Councilmember Edge moved to approve a land lease near the Airport with Chris and Heather Martin; seconded by Councilmember Mills.

The City owns a house near the Airport which used to be rented, but the tenant was doing other things with the property that were outside of the lease. There were parties taking place on the property. Chris and Heather Martin moved in across the road and expressed interest in the City's property. A six-year lease has been written in which no rent would be paid the first year, but the Martin's would make improvements to the property. After the first year, in 2015, they would start paying \$750 rent a year.

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

2nd Reading

BILL NO. 2014-13

ORDINANCE NO. 12105

AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING A LOT SPLIT WHICH IS PART OF A TRACT OF LAND LOCATED AT 1113 HILDRETH STREET IN KIRKSVILLE, MISSOURI.

WHEREAS, a tract of land that is situated in the Northeast Fourth of the Northeast Quarter of Section 17, Township 62 North, Range 15 West, Adair County, Missouri, has been split into two different 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 more particularly described as follows:

Description Tract 1: A portion of Outlot 4 situated in the Northeast Fourth of the Northeast Quarter of Section 17, Township 62 North, Range 15 West, Adair County, Missouri and being more particularly described as follows:

Beginning at an iron rod set at the Southeast corner of a plat found in surveyors record Book 4 at page 89 at the Adair County Recorder's office; thence along the East line of said survey, North 02 degrees 08 minutes 59 seconds East a distance of 564.00 feet to an iron rod set; thence leaving said line, North 89 degrees 32 minutes 10 seconds East a distance of 154.30 feet to an iron rod set on the West line of a survey found in surveyors record Book 8 at Page 31 of the Adair County Recorder's Office; thence along said survey, South 02 degrees 08 minutes 53 seconds West a distance of 564.00 feet to an iron rod set at the Southwest corner of said survey; thence South 89 degrees 32 minutes 11 seconds West a distance of 154.32 feet to the Point of Beginning. The above tract of land contains 2.00 acres more or less, subject to easements and restrictions of record, or not of record, if any.

Description Tract 2: A portion of Outlot 4 situated in the Northeast Fourth of the Northeast Quarter of Section 17, Township 62 North, Range 15 West, Adair County, Missouri and being more particularly described as follows:

Commencing at an iron rod set at the Southeast corner of a plat found in surveyors record Book 4 at Page 89 at the Adair County Recorder's Office; thence along the East line of said survey, North 02 degrees 08 minutes 59 seconds East a distance of 564.00 feet to an iron rod set at the Point of Beginning of the description herein, to wit: thence continue North 02 degrees 08 minutes 59 seconds East a distance of 432.16 feet to an iron rod found at the Northeast corner of said survey; thence leaving said survey, North 89 degrees 25 minutes 28 seconds East a distance of 154.30 feet to an iron rod set at the direct Northerly prolongation of a survey found in surveyors record Book 8 at Page 31 of the Adair County Recorder's Office; thence South 02 degrees 08 minutes 53 seconds West a distance of 432.46 feet to an iron rod set on the West line of said survey; thence leaving said survey, South 89 degrees 32 minutes 10 seconds West a

distance of 154.30 feet to the Point of Beginning. The above tract of land contains 1.53 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 1113 Hildreth 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.

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

BILL NO. 2014-14 **ORDINANCE NO. 12106**
AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING THE SUBDIVISION OF LAND LOCATED ON OR ABOUT THE 1700 BLOCK OF EAST LAHARPE STREET, IN KIRKSVILLE, MISSOURI.

WHEREAS, the Final Plat of Eagle Crest Estates Subdivision, a subdivision to the City of Kirksville, Missouri, has been subdivided into a tract of land within the City of Kirksville, Missouri, described herein and is incorporated herein by reference, and has been regularly certified by Mark W. Robertson, licensed surveyor number PLS # 2008016665; and

WHEREAS, the plat of land is described as follows:

A Subdivision of a portion of Tract 1 as described in Book 979, at Page 329, situated in the South half of the Northwest Quarter of Section 15, Township 62 North, Range 15 West, Adair County, Missouri and being more particularly described as follows:

Beginning at an iron rod found at the Northeastern most corner of said tract; thence along said tract as follows, South 00 degrees 21 minutes 57 seconds West a distance of 498.00 feet to a found iron rod; thence North 90 degrees 00 minutes 00 seconds East a distance of 892.41 feet to a found iron rod; thence South 00 degrees 22 minutes 30 seconds West a distance of 796.37 feet to a found iron rod; thence North 89 degrees 55 minutes 04 seconds West a distance of 1718.62 feet to a set iron rod; thence leaving said line, North 00 degrees 04 minutes 56 seconds East a distance of 190.00 feet to a set iron rod; thence South 89 degrees 55 minutes 04 seconds East a distance of 737.57 feet to a set iron rod; thence 93.95 feet along an arc to the left with a radius of 60.00 feet and a chord that bears North 45 degrees 13 minutes 27 seconds East a distance of 84.64 feet to a set iron rod; thence North 00 degrees 21 minutes 57 seconds East a distance of 1043.34 feet to an iron rod set on the North line of said tract; thence North 90 degrees 00 minutes 00 seconds East a distance of 30.00 feet to the Point of

Beginning. The above tract of land contains 20.68 acres, more or less. Subject to easements and restrictions of record, or not of record, if any; and

WHEREAS, the aforesaid Final Plat of Eagle Crest Estates Subdivision was duly approved and recommended by the Planning and Zoning Commission of the City of Kirksville at their regular meeting of March 12, 2014; and

WHEREAS, the Planning and Zoning Commission also approved delaying the installation of sidewalks at each property until 1 year after a Final Occupancy Permit is issued for each lot; and

WHEREAS, all engineering plans, plat layouts and storm drainage plans are in order and have been approved by City of Kirksville staff; and

WHEREAS, all of the remaining information and contents of the "Plat" meet the City Subdivision Ordinance.

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

That the Final Plat for Eagle Crest Estates Subdivision is 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 of full force and effect from and after the date of its passage.

Councilmember Edge moved to approve Bill No. 2014-13 and 2014-14 on second reading; seconded by Councilmember Mills. Motion carried: Ayes – Mayor Detweiler; Councilmember Edge, Mills, Russell and Moritz. Noes – 0.

Council Comments

Councilmember Moritz reminded everyone of the Dog Park meeting on March 20 at 5:30 pm at the EDA building.

Adjournment

There being no further business to come before the Council, Councilmember Edge moved to adjourn to an Executive Session regarding a Leasing, Purchase or Sale of Real Estate Matter, RsMO 610.021(2); seconded by Councilmember Moritz.

City Clerk Vickie Brumbaugh took the Roll Call vote: Ayes – Mayor Detweiler; Councilmember Edge, Mills, Russell and Moritz. Noes – 0.

Mayor Detweiler adjourned the meeting at 6:38 p.m.

Vickie Brumbaugh, CMC MRCC
City Clerk