

JOURNAL OF THE CITY COUNCIL

Regular Session – April 21, 2014

COUNCIL & STAFF PRESENT:

Glen Moritz	Mayor
Richard Detweiler	Councilmember
Jerry Mills	Councilmember
Robert L. Russell	Councilmember
Rick Steele	Councilmember
Howard Hickman	City Attorney
Mari E. Macomber	City Manager
Vickie Brumbaugh	City Clerk
Ashley Young	Assistant City Manager
Jim Hughes	Police Chief
Alan Griffiths	Public Works Director
Lacy King	Finance Director
Brad Selby	Code Administrator
Sarah Halstead	Community Services Director

The City Council of the City of Kirksville, Missouri, met in a Regular Session on Monday, April 21, 2014, at 6:05 p.m. in the City Hall Council Chambers.

INVOCATION and PLEDGE

Reverend Robert Fredricks provided the Invocation. Mayor Moritz and the Council led the Pledge of Allegiance.

MINUTES

Councilmember Detweiler moved to approve the minutes of the special session of April 14, 2014; seconded by Councilmember Mills. Motion carried: Ayes – Mayor Moritz; Councilmember Detweiler, Mills, Russell and Steele. Noes – 0.

ORDER OF AGENDA

A proclamation to recognize Victim Support Services on 25 years was added to Information Presentations.

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

INFORMATION PRESENTATIONS & PUBLIC HEARING

Mayor Moritz announced the proclaiming of Arbor Day on April 25, 2014.

Mayor Moritz read and presented a proclamation for National Week of the Young Child from April 21-27, 2014.

Mayor Moritz read and presented a proclamation for Victim Support Services 25 years of service.

CITIZEN PARTICIPATION

Jim Bell, TSU student, provided an update on glass recycling on campus, saying that

people are using the service. The students encourage the city to continue looking into offering glass recycling to the community.

UNFINISHED BUSINESS

None.

ACTION PRESENTATIONS

BILL NO. 2014-21

RESOLUTION NO. R4-21-490

A RESOLUTION OF THE CITY OF KIRKSVILLE, MISSOURI ADOPTING THE 2014 COMPREHENSIVE PLAN.

WHEREAS, the City of Kirksville prepared and developed the previous Comprehensive Plans of 2004 and 1975, and supported the goals contained in the Comprehensive Plan; and

WHEREAS, the Comprehensive Plan is intended to serve as a long range guide for the development of the City according to the goals and objectives developed by local citizens, the Kirksville Historic Preservation Commission, the Planning and Zoning Commission, and the City Council; and

WHEREAS, the City prepared and developed the 2014 update of the Comprehensive Plan encouraging the participation and support from other community organizations and individuals; and

WHEREAS, the City of Kirksville understands the importance of a Comprehensive Plan for the City and future development and planning within the City.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the City Council of the City of Kirksville adopt the newly updated 2014 Comprehensive Plan, and encourage all city departments and community leaders to support the plan.

Councilmember Detweiler moved to approve Bill No. 2014-21; seconded by Councilmember Mills. Motion carried: Ayes – Mayor Moritz; Councilmember Detweiler, Mills, Russell and Steele. Noes – 0.

BILL NO. 2014-22

RESOLUTION NO. R4-21-491

A RESOLUTION APPOINTING GLEN MORITZ, AN ELECTED OFFICIAL, TO THE MISSOURI SOLID WASTE MANAGEMENT COUNCIL AND THE SOLID WASTE MANAGEMENT COUNCIL EXECUTIVE BOARD TO FULFILL AN UNEXPIRED TERM; AND RE-APPOINTMENTING HIM TO AN ADDITIONAL TWO-YEAR TERM TO EXPIRE DECEMBER 31, 2016.

WHEREAS, on July 9, 1990, Missouri Governor John Ashcroft signed Senate Bill 530, now known as Missouri's solid waste management law, which is designed to foster local government cooperation to reduce the volume of landfill solid waste in Missouri by 40 percent by 1998; and

WHEREAS, the City of Kirksville has joined its neighbor counties in establishing the Northeast Missouri Solid Waste Management District; and

WHEREAS, the governing body of each City, over 500 population, within the district shall appoint one member of the City governing body to the Solid Waste Management Council and one member of the City governing body as an alternate.

NOW, THEREFORE, BE IT RESOLVED THAT THE City of Kirksville hereby requests that Glen Moritz, being duly elected City official, shall represent the City of Kirksville on the Northeast Missouri Solid Waste Management Council and the Northeast Missouri Solid Waste Management Council Executive Board to fulfill an unexpired term to December 31, 2014; and is also re-appointed to a two-year term, effective January 1, 2015 to December 31, 2016.

Councilmember Mills moved to approve Bill No. 2014-22; seconded by Councilmember Steele. Motion carried: Ayes – Mayor Moritz; Councilmember Detweiler, Mills, Russell and Steele. Noes – 0.

BILL NO. 2014-23

AN ORDINANCE REPEALING ARTICLE II – SALES TAX INCLUDING SECTIONS 23-26 THROUGH 23-69 OF THE CITY CODE OF THE CITY OF KIRKSVILLE, MISSOURI, REGARDING TAXATION.

Councilmember Russell moved to approve Bill No. 2014-23 on first reading; seconded by Councilmember Mills.

The City Code currently includes a termination date on the Transportation Sales tax to December 31, 2015. The Transportation Sales Tax continuation question on the April election ballot did not include a sunset, therefore the City Code would require an update. The Code Company advised that taxation not be a part of the Code due to the cost to make frequent updates on rates and dates. A repeal of the Taxation Chapter is recommended to be effective January 1, 2016 after the Transportation Sales Tax terminates.

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

BILL NO. 2014-24

AN ORDINANCE AMENDING CHAPTER 14, BUSINESS LICENSES, OF THE CITY CODE OF THE CITY OF KIRKSVILLE, MISSOURI, REGARDING CONTRACTOR TESTING.

Councilmember Detweiler moved to approve Bill No. 2014-24 on first reading; seconded by Councilmember Russell.

Business licenses are due the end of February. A change in language clarifies that testing requirements are for new applicants and for those who failed to renew their contractor licenses by the deadline.

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

Waiver of Building Permit – Habitat for Humanity

Councilmember Mills moved to approve a waiver of the building permit fees for construction of a new house for the Kirksville Habitat for Humanity; seconded by Councilmember Steele.

Habitat for Humanity has requested a waiver of the normal permit fee of \$802.08 to build a structure at 1416 South Baird. The City has approved waivers for Habitat in the past.

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

Bid – Steel Drum Roller

Councilmember Mills moved to approve the purchase of a used Steel-Drum Roller from Luby Equipment Services of Quincy, Illinois; seconded by Councilmember Detweiler.

The budget included purchase of a new steel-drum roller, but staff located a used roller that meets the City's needs. With a trade-in value of \$6,000, the City's cost for the used roller is \$38,000.

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

Bid – College Park Storm Sewer Project

Councilmember Mills moved to award the contract for construction of the college Park Storm Sewer project to Willis Brothers, Inc.; seconded by Councilmember Steele.

This is final phase of work for the storm Sewer Bond issued approved by voters in 2009. Three bids were received and Willis Brothers was best bid at \$450,047.

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

South 63 CID Board Appointment – Lacy King

Councilmember Russell moved to appoint Lacy King to fill an unexpired term on the South 63 Corridor Community Improvement District Board; seconded by Councilmember Mills. Motion carried: Ayes – Mayor Moritz; Councilmember Detweiler, Mills, Russell and Steele. Noes – 0.

Tax Increment Financing Commission Appointment – Lacy King

Councilmember Mills moved to appoint Lacy King to the Tax Increment Financing Commission with a term expiring October 2017; seconded by Councilmember Russell. Motion carried: Ayes – Mayor Moritz; Councilmember Detweiler, Mills, Russell and Steele. Noes – 0.

2nd Reading

BILL NO. 2014-23

ORDINANCE NO. 12110

AN ORDINANCE REPEALING ARTICLE II – SALES TAX INCLUDING SECTIONS 23-26 THROUGH 23-69 OF THE CITY CODE OF THE CITY OF KIRKSVILLE, MISSOURI, REGARDING TAXATION.

WHEREAS, the Kirksville voters approved a one-half cent transportation sales tax in 1987, and voted again in 1990,1994 and 2004 to extend the tax to terminate in December 31, 2015.

WHEREAS, the voters approved the question to continue the transportation sales tax without a sunset clause at the April 8, 2014 election.

WHEREAS, the Municipal Code Corporation advised the City to discontinue placement of taxation in our Code due to frequent changes in dates and percentage amounts that can become expensive.

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

Section 1. That Article II. Sales Taxes be repealed, consisting of Division 2. Retail, including Sections 23-26 through 23-27; and Division 4. Transportation Purposes, including Sections 23-66 through 23-69 of the Code of Ordinances of the City of Kirksville, Missouri.

Section 2. This repeal shall become **effective January 1, 2016**.

BILL NO. 2014-24

ORDINANCE NO. 12111

AN ORDINANCE AMENDING CHAPTER 14, BUSINESS LICENSES, OF THE CITY CODE OF THE CITY OF KIRKSVILLE, MISSOURI, REGARDING CONTRACTOR TESTING.

NOW, THEREFORE, BE IT ORDAINED, by the City of Kirksville, that Chapter 14, Business Licenses, be amended as follows:

Section 1. That Section 14-21 of Chapter 14 be amended by adding the following:

Sec. 14-21. Performance bond required, no gross receipts fee.

(b) In addition to the annual license fees set out below, each of the persons, merchants, agents, repairmen or their representatives listed below shall be

required to post a performance bond or certificate of liability insurance with the city, but shall not be required to pay a gross receipts fee on their gross receipts as set out in section 14-19

(1) Plumbers, unless doing work for and employed by a licensed plumbing firm . . . \$25.00

(2) Contractors, general contractors, subcontractors, builders, or carpenters who perform work on, upon or within public rights-of-way and/or public property . . . \$25.00

(3) Electricians, unless doing work for and employed by a licensed electrical firm . . . \$25.00

(4) Contractors, electricians, and plumbers. Testing is required for those persons applying for a new license **and for those contractors, electricians, and plumbers who fail to renew their license(s) prior to the expiration thereof.** The cost for taking the first test of each occupation is included in the cost of the license, whether it be for an individual or for a company. If the applicant does not pass the initial test, any subsequent test will require a ten dollar (\$10.00) fee.

Section 2. This Ordinance shall become effective on the date of its passage.

Section 3. The provisions of this ordinance shall be included and incorporated in the Code of ordinances of the City of Kirksville, Missouri, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Councilmember Russell moved to adopt Bill Nos. 2014-23 and 2014-24 on second reading; seconded by Councilmember Mills. Motion carried: Ayes – Mayor Moritz; Councilmember Detweiler, Mills, Russell and Steele. Noes – 0.

Council Comments

Councilmember Steele reported that he attended the recent Andrew Taylor Still Induction into the Hall of Fame ceremony in Jefferson City.

Mayor Moritz thanked Councilmember Richard Detweiler for his service as Mayor.

The Council was reminded of the April 29 training at City Hall by the Missouri Municipal League.

City Manager Macomber asked the Council if they wish to consider a change on gross receipts reporting for small businesses to coincide with sales tax reporting on an annual basis instead of quarterly. An Ordinance will be prepared for Council's consideration.

Mayor Moritz announced that the Dog Park goal is only short by \$2,000. There is a fund raiser planned at Brashear Park.

Adjournment

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

Mayor Moritz adjourned the meeting at 6:43 p.m.

Vickie Brumbaugh, CMC MRCC
City Clerk