

## **JOURNAL OF THE CITY COUNCIL**

*Regular Session – May 5, 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
Jim Hughes	Police Chief
Alan Griffiths	Public Works Director
Lacy King	Finance Director
Glenn Balliew	Airport Director

The City Council of the City of Kirksville, Missouri, met in a Regular Session on Monday, May 5, 2014, at 6:03 p.m. in the City Hall Council Chambers.

### **INVOCATION and PLEDGE**

Reverend Jim Pitney of the First Christian Church provided the Invocation. Mayor Moritz and the Council led the Pledge of Allegiance.

### **MINUTES**

Councilmember Detweiler moved to approve the minutes of the regular session of April 21, 2014; seconded by Councilmember Steele. Motion carried: Ayes – Mayor Moritz; Councilmember Detweiler, Mills, Russell and Steele. Noes – 0.

### **ORDER OF AGENDA**

Mari Macomber reported the paperwork for the Buddy Bass tournament was just turned in last Friday, and asked the Council to add the tournament request to the agenda. She also asked that a Bill amending Chapter 25 – Water/Sewer Operations regarding customer payment of financial obligations to the City, be deleted from the agenda until it is reviewed further.

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

### **INFORMATION PRESENTATIONS & PUBLIC HEARING**

None.

### **CITIZEN PARTICIPATION**

None.

### **UNFINISHED BUSINESS**

None.

### **ACTION PRESENTATIONS**

**BILL NO. 2014-25**

**RESOLUTION NO. R5-5-492**

**A RESOLUTION APPOINTING GLEN MORITZ, MAYOR, AS THE CITY'S ALTERNATE REPRESENTATIVE TO THE GENERAL MEMBERSHIP OF THE NORTHEAST MISSOURI REGIONAL PLANNING COMMISSION.**

WHEREAS, on the 19<sup>th</sup> day of March in 1969, Governor Warren E. Hearnes designated the Northeast Missouri Regional Planning Commission, (NEMO RPC), and with designation, the Northeast Missouri Regional Planning Commission was created; and

WHEREAS, the Northeast Missouri Regional Planning Commission currently serves the counties within the region of Adair, Clark, Knox, Lewis, Schuyler, Scotland and the 33 incorporated cities for a total of 39 member governments within Northeast Missouri; and

WHEREAS, the NEMO RPC shall consist of participating members who shall represent the local units of government within the boundaries of the region. Each county shall be entitled to one representative, who shall be a member of the County Court (Commission) or a designee of such court (Commission), and each incorporated city shall be entitled to one representative who shall be a mayor, or a person designated by the mayor. Members shall serve for a term of four years and shall be terminated, however, when they no longer serve as a member of the County Court (Commission) or as a mayor or as the designee of a mayor or court (Commission).

WHEREAS, the incorporated cities of each county shall appoint one member of the City to the Northeast Missouri Regional Planning General Membership and one member of the City as an alternate;

NOW, THEREFORE, BE IT RESOLVED that the City of Kirksville hereby request that Glen Moritz, Mayor, shall represent the City of Kirksville as the Alternate voting member on the Northeast Missouri Regional Planning Commission General Membership. Mari Macomber, City Manager, is the City's representative.

Councilmember Detweiler moved to approve Bill No. 2014-25; seconded by Councilmember Mills. Motion carried: Ayes – Mayor Moritz; Councilmember Detweiler, Mills, Russell and Steele. Noes – 0.

**BILL NO. 2014-26**

**AN ORDINANCE AMENDING ORDINANCE NO. 12090, APPROPRIATING FROM THE REVENUE OF THE CITY OF KIRKSVILLE, MISSOURI, EXPENDITURES IN ACCORDANCE WITH THE 2014 BUDGET OF THE CITY OF KIRKSVILLE, MISSOURI AND PROVIDING FOR ADJUSTMENTS THERETO.**

Councilmember Mills moved to approve Bill No. 2014-26 on first reading; seconded by Councilmember Russell.

A quote from Geo-Comm for the E-911 system support and maintenance fees omitted the server and annual remote dialer fee for a total of \$18,340. Homeland Security will

pay \$16,000, leaving a balance of \$2,340 to be paid from the E-911 fund, which was not budgeted.

A 1964 motor grader was sold, placing an additional \$7,250 in the Airport Fund which can be used toward the cost of paint for the runway, requiring an adjustment of this fund.

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

**BILL NO. 2014-27**

**AN ORDINANCE AMENDING CHAPTER 21 – STREETS AND SIDEWALKS, OF THE CITY CODE OF THE CITY OF KIRKSVILLE, MISSOURI, REGARDING SECTION 21-9. SALE OR DISPLAY OF GOODS.**

Councilmember Mills moved to approve Bill No. 2014-27 on first reading; seconded by Councilmember Russell.

Current ordinance requires City Council approval for food cart operations in city-owned parking lots. Changing this requirement will speed up the process. Other business license operations do not require Council approval.

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

**Renaming Roadside Park to McKinney Bark Park**

Councilmember Detweiler moved to approve the renaming of the Roadside Park to the McKinney Bark Park once the dog park construction is completed; seconded by Councilmember Steele.

City Policy allows anyone who contributes one-third the cost of a project, but no less than \$10,000, to be granted the renaming rights of an existing facility or park. The City estimated \$34,000 for the dog park project, therefore requiring a contribution of \$12,000. An anonymous donation of \$12,000 was received to rename the park the McKinney Bark Park. The honoree, Rich McKinney, was present and introduced as the director of the community chorus for 10 years and one of the original founders of the TSU Franklin Street Singers.

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

**Lease Agreement Hall Hangar with North-Scout Aviation**

Councilmember Russell moved to authorize the Mayor to execute a lease agreement between North-Scout Aviation, Inc. and the City for property located at the Kirksville Regional Airport; seconded by Councilmember Mills.

Jon McNay of North-Scout Aviation will purchase the David and Laurie Hall hangar in June. He will provide aircraft maintenance and avionics at the Airport.

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

**Bid – Track Loader**

Councilmember Mills moved to approve the purchase of a new track loader from Gateway Bobcat of Missouri, Inc.; seconded by Councilmember Steele.

Ten bids were received with four of those not meeting qualifications. The recommended bidder is not the lowest bid at \$62,750 minus the trade-in value of \$22,500 for a total cost of \$40,250, but is the best bid meeting specifications.

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

**Buddy Bass Tournament at Forest Lake**

Councilmember Mills moved to approve a request for tournament use of Forest Lake on May 17, and to allow outboard motors exceeding 90 hp to idle at a speed not to exceed 10 mph between the hours of 6:00 am and 3:00 pm; seconded by Councilmember Steele. Motion carried: Ayes – Mayor Moritz; Councilmember Detweiler, Mills, Russell and Steele. Noes – 0.

**2<sup>nd</sup> Reading**

**BILL NO. 2014-26**

**ORDINANCE NO. 12112**

**AN ORDINANCE AMENDING ORDINANCE NO. 12090, APPROPRIATING FROM THE REVENUE OF THE CITY OF KIRKSVILLE, MISSOURI, EXPENDITURES IN ACCORDANCE WITH THE 2014 BUDGET OF THE CITY OF KIRKSVILLE, MISSOURI AND PROVIDING FOR ADJUSTMENTS THERETO.**

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

**SECTION 1.** That Section 1 of Ordinance No. 12090 be amended to read: The Annual Budget of the City of Kirksville, Missouri, aggregating \$37,525,822, for the fiscal year ending December 31, 2014, as submitted by the City Manager and incorporated herein by reference as is fully set out in this ordinance, is hereby approved.

**SECTION 2.** Revision to the original budget for the funding of the E911 budget's share of the support services provided by Geo Comm in the amount of \$2,340 necessitating an increase in the E911 Center Fund as so described are approved.

**SECTION 3.** Revision to the original budget for acceptance of funds in the Airport Fund of \$7,250 from the sale of a motor grader allowing the allocation of these funds for runway painting.

**BILL NO. 2014-27**

**ORDINANCE NO. 12113**

**AN ORDINANCE AMENDING CHAPTER 21 – STREETS AND SIDEWALKS, OF THE CITY CODE OF THE CITY OF KIRKSVILLE, MISSOURI, REGARDING SECTION 21-9. SALE OR DISPLAY OF GOODS.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KIRKSVILLE, MISSOURI, that Section 9 of Chapter 21 be amended as follows:

Section 1. That Section 21-9 - Sale or display of goods, etc., of the Code of Ordinances of the City of Kirksville, be amended so that Section shall read as follows:

(b) This section shall not apply to community-wide group-sponsored activities if such sponsoring group applies for and receives council authorization to conduct the requested activity; or to licensed merchants of shops, located immediately around the courthouse square and one block either side of the street from each corner of the square with the following exceptions.

(1) Licensed merchants will be allowed to use no more than that portion of sidewalk immediately adjacent to their building for the display of goods sold at that location and provided there is at least four feet of sidewalk remaining for pedestrian use.

(2) The display of goods including display appurtenances will be allowed only during regular business hours,

(3) Licensed merchants will be prohibited from displaying any goods, wares, merchandise on the public streets, sidewalks or alleys during community-wide sponsored activities without the written consent of the sponsoring group.

~~(4) Receive the license and approval of the city council.~~

Section 2. The modifications to this ordinance shall be effective from and after its date of passage.

Section 3. The provisions of this Ordinance shall be included and incorporated into the Code of Ordinances of the City of Kirksville, Missouri as an addition or amendment thereto.

Councilmember Mills moved to adopt Bill Nos. 2014-26 and 2014-27 on second reading; seconded by Councilmember Russell. Motion carried: Ayes – Mayor Moritz; Councilmember Detweiler, Mills, Russell and Steele. Noes – 0.

**Council Comments**

None.

**Adjournment**

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

Mayor Moritz adjourned the meeting at 6:33 p.m. to go back into Study Session.

Vickie Brumbaugh, CMC MRCC  
City Clerk