

**COUNCIL & STAFF PRESENT:**

Richard Detweiler	Mayor
Phillip Biston	Councilmember
Glen Moritz	Councilmember
Jerry Mills	Councilmember
Rick Steele	Councilmember
Howard Hickman	City Attorney
Mari Macomber	City Manager
Vickie Brumbaugh	City Clerk
Ashley Young	Assistant City Manager
Brad Selby	Code Administrator
Jim Hughes	Police Chief
Lacy King	Finance Director
Len Kollars	City Engineer
Tom Collins	Fire Chief

The City Council of the City of Kirksville, Missouri, met in a Regular Session on Monday, June 1, 2015, at 6:04 p.m. in the City Hall Council Chambers.

**INVOCATION and PLEDGE**

Councilmember Rick Steele provided the Invocation. The Mayor and Council led the Pledge of Allegiance.

**MINUTES**

Councilmember Moritz moved to approve the minutes of the regular session of May 18, 2015; seconded by Councilmember Steele. Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

**ORDER OF AGENDA**

Mari Macomber asked that a motion be added as Item #5 – To authorize the Finance Director to waive the requirements of City Code Chapter 25, Section 25-50, paragraph (e) until an Ordinance amendment can be brought back to the Council. Councilmember Mills moved to approve the Order of the Agenda as amended; seconded by Councilmember Biston. Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

**INFORMATION PRESENTATIONS & PUBLIC HEARING**

None.

**CITIZEN PARTICIPATION**

None.

**UNFINISHED BUSINESS**

None.

**ACTION PRESENTATIONS**

**BILL NO. 2015-26**

**RESOLUTION NO. R6-1-10**

**A RESOLUTION OF THE CITY OF KIRKSVILLE, MISSOURI, AUTHORIZING THE EXECUTION OF AN APPLICATION FOR THE UNITED STATES DEPARTMENT OF TRANSPORTATION TIGER DISCRETIONARY GRANT, FOR INFRASTRUCTURE IMPROVEMENTS AND COMPLETE STREETS IMPROVEMENTS ALONG ILLINOIS STREET/US HWY 6 FROM ELSON STREET TO THE ALTERNATE ROUTE**

**WHEREAS**, TIGER 2015 discretionary grants will fund capital investments in surface transportation infrastructure and will be awarded on a competitive basis to projects that will have a significant impact on the nation, a region, or metropolitan area

**WHEREAS**, The TIGER 2015 grant program will continue to make transformative surface transportation investments by providing significant and measurable improvements over existing conditions. The grant program will focus on capital projects that generate economic development and improve access to reliable, safe and affordable transportation for disconnected both urban and rural, while emphasizing improved connection to employment, education, services and other opportunities, workforce development, or community revitalization

**WHEREAS**, the City does have areas of need which may be addressed through the TIGER Funding Program.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KIRKSVILLE**, as follows:

1. That an application be prepared and submitted to the U.S. Department of Transportation, 2015 TIGER Funding Program.
2. That the Mayor and City Manager be authorized to sign and execute the necessary documents for forwarding the project application for a grant. These persons are also hereby authorized to sign the project agreement, subsequent amendments and other necessary documents between the City of Kirksville, Missouri Department of Transportation, and the U.S. Department of Transportation.
3. If a grant is awarded, the City of Kirksville accepts all responsibilities under US-DOT regulations.

Councilmember Moritz moved to approve Bill No. 2015-26; seconded by Councilmember Mills.

The project is to create a complete street corridor into the downtown from the alternate route. Hike/bike lanes are proposed along Highway 6/Illinois Street from the alternate route to Cottage Grove Avenue, and sidewalks installed along the north side of Highway 6/Illinois from Cottage Grove Avenue to Baltimore. Sidewalks will be renovated from Baltimore to Elson Street, bike lanes added, parking removed and installation of a median.

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

**BILL NO. 2015-27**

**ORDINANCE NO. 12158**

**AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI APPROVING REZONING OF REAL ESTATE LOCATED AT 2116 SOUTH FRANKLIN AND THE UNIMPROVED LOT TO THE NORTH OF THAT FROM O-1P PLANNED OFFICE ZONING TO CP-1 PLANNED LOCAL BUSINESS ZONING; A DEVELOPMENT PLAN FOR CONSTRUCTION OF A BUILDING IN KIRKSVILLE, MISSOURI; AND CHANGING THE ZONING MAP ACCORDINGLY.**

Councilmember Mills moved to approve Bill No. 2015-27 on first reading; seconded by Councilmember Biston.

Alpha Gamma Rho fraternity wish to remodel the house for fraternity use. The Chariton Valley Association is close and has requested the same rezoning for their unimproved lot just to the north of the fraternity. The Planning and Zoning Commission held a public hearing on the rezoning of both lots with a vote of seven in favor and one opposed with a special condition of a 40 foot wide natural buffer on the west side of the property along High Street for the 2116 South Franklin location and no entrances be allowed on that property from High Street.

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

Councilmember Steele noted that he is an employee of the Chariton Valley Association and chose to abstain from voting.

**SEMA Funds to Replace Bridge on Brooke Drive**

Councilmember Steele moved to authorize the City's Emergency Management Director to approve documents accepting funds from SEMA totaling 75% of the cost to replace a bridge on Brooke Drive; seconded by Councilmember Biston.

Heavy rainfall in September 2014 caused damage and deterioration to the Brooke Drive bridge, and it needs to be replaced. SEMA (State Emergency Management Agency) approved funding and sent a 75% match (\$82,175.86) check to the City. The grant allows up to four years for project completion. The City's share of the cost is \$27,391.94. A sewer main running by this bridge also needs repaired. If the damage is a result of the same storm, then SEMA will be asked to adjust the funding. A determination will be made to proceed this year or to postpone the work.

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

**Liquor License Renewals**

Councilmember Biston moved to approve liquor license renewals for the merchants holding said licenses for the annual period commencing July 1, 2015 and to approve new liquor licenses for Sodexo Management, Inc. dba Sodexo; seconded by Councilmember Moritz.

This is the first group of licenses to be considered for renewal. Sodexo is a new applicant located in the Truman State University Student Union. City Ordinance and the State Law do not allow for liquor sales on school property. The Liquor Control Board said that

Sodexo will be required to contact TSU 10 days ahead of an event and obtain a temporary caterer's license for each event on campus. Alcohol will not be sold on a regular basis. .

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

***Addition to the Agenda:***

**Waiving of Requirements re: Landlord Agreement**

Councilmember Mills moved to authorize the Finance Director to waive the requirements of City Code Chapter 25, Section 25-50, paragraph (e) until an Ordinance amendment can be brought back to the Council; seconded by Councilmember Biston.

The current ordinance requires a property owner to have water service for a consecutive 24-month period prior to entering a landlord agreement. Some landlords have tenants who move out for a few months, therefore not allowing for a consecutive period of time. The waiving of the City Code's current requirement will allow the landlords to keep service on and to enter a landlord agreement without the 24-month consecutive period.

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

**Second Reading**

**BILL NO. 2015-27**

**ORDINANCE NO. 12158**

**AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI APPROVING REZONING OF REAL ESTATE LOCATED AT 2116 SOUTH FRANKLIN AND THE UNIMPROVED LOT TO THE NORTH OF THAT FROM O-1P PLANNED OFFICE ZONING TO CP-1 PLANNED LOCAL BUSINESS ZONING; A DEVELOPMENT PLAN FOR CONSTRUCTION OF A BUILDING IN KIRKSVILLE, MISSOURI; AND CHANGING THE ZONING MAP ACCORDINGLY.**

**WHEREAS**, the Alpha Gamma Rho Fraternity and the Chariton Valley Association, Inc., have applied for rezoning of 2116 S. Franklin and the unimproved lot to the north, respectively, and the Fraternity has submitted a site plan for the development of a building at their new location; and

**WHEREAS**, the properties are legally described as:

Description of 2116 S. Franklin lot owned by Alpha Gamma Rho:

All of a part of the Southwest Fourth of the Northeast Quarter of Section 16 Township 62, Range 15, beginning 605 feet North of the Southwest corner of said 40 acres tract, thence North 89 degrees 37 minutes East 174 feet 5 inches thence North 65 degrees 49 minutes East 198 feet 8 inches to the right of way line of Missouri State Highway Urban Route 6 and also Federal Highway Urban Route 63 thence in a Northwesterly direction along said right of way line 158 feet thence West 286 feet South 233 feet to the point of beginning.

Description of unimproved lot to north owned by Chariton Valley Association:

A tract of land in the Southwest Quarter of the Northeast Quarter of Section 16, Township 62 North, Range 15 West, in the City of Kirksville, Adair County, Missouri, described as follows: Beginning at a point 30 feet south and 20 feet east of the Northwest corner of said Quarter-Quarter; thence South 0 degrees 00 minutes East along the East line of High Street 320 feet to set iron rod; thence South 86 degrees 48 minutes East 201.2 feet to set iron rod on the West right of way line of Business Route 63; thence along 0 degree 30 minute curve to the right having an 11,588.2 foot radius, along the following chords, North 24 degrees 51 minutes West 235.5 feet to found right of way marker, thence North 23 degrees 52 minutes West 98.2 feet to set iron rod; thence North 66 degrees 40 minutes West 60.8 feet to a found Right of Way marker; thence North 60 degrees 19 minutes West 7.4 feet to the point of beginning, containing 0.9 acre, more or less; and

**WHEREAS**, the development of the property at 2116 S. Franklin Street shall be in complete accord with said development plan which was approved by the Planning and Zoning Commission in a public hearing on May 13, 2015 with the; and

**WHEREAS**, the notice of rezoning of the aforesaid lots were placed in a daily newspaper of general circulation 15 days in advance of a Public Hearing, and property owners within 185 feet of the property to be rezoned were notified by certified mail; and

**WHEREAS**, one person spoke in opposition to the rezoning at the public hearing and four persons spoke in support of the rezoning; and

**WHEREAS**, after consideration of the zoning and development plan, the Planning and Zoning Commission approved the rezoning of both lots and of the development plan for 2116 S. Franklin Street, with two special conditions: (1) the owner is to provide a 40 foot buffer of natural vegetation on the west side of the property along High Street for the 2116 S. Franklin lot, and (2) no entrances to the property are allowed to be constructed from High Street, again, just on the 2116 S. Franklin lot. The Commission is forwarding their recommendation for approval to the Kirksville City Council.

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

The development plan as submitted and the rezoning of the properties at 2116 S. Franklin Street and the unimproved lot to the north to CP-1 Planned Local Business is hereby approved and accepted by the City of Kirksville with the two (2) special conditions listed above, and such plan shall be followed for construction by the owner of the property, and the zoning map of the City of Kirksville shall be changed accordingly.

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

Councilmember Mills moved to approve Bill No. 2015-27 on second reading; seconded by Councilmember Biston. Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills and Moritz. Noes – 0. Abstain – Councilmember Steele.

**Council Comments**

None.

**Adjournment**

There being no further business to come before the Council, Councilmember Moritz moved to adjourn to an Executive Session regarding a Real Estate matter, RsMO 610.021(2); seconded by Councilmember Steele. Motion carried by Roll Call Vote taken by the City Clerk: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

Mayor Detweiler adjourned the meeting at 6:34 p.m.

Vickie Brumbaugh, CMC MRCC, CityClerk