

COUNCIL & STAFF PRESENT:

Richard Detweiler	Mayor
Glen Moritz	Mayor Pro Tem
Jerry Mills	Councilmember
Rick Steele	Councilmember
Phillip Biston	Councilmember
Mari Macomber	City Manager
Howard Hickman	City Attorney
Vickie Brumbaugh	City Clerk
Brad Selby	Codes Administrator
Glenn Balliew	Airport & Public Works Director
Jim Hughes	Police Chief

The City Council of the City of Kirksville, Missouri, met in a Regular Session on Monday, April 4, 2016, at 6:00 p.m. in the City Hall Council Chambers.

INVOCATION and PLEDGE

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

MINUTES

Councilmember Moritz moved to approve the minutes of the Regular Session of March 21, 2016; seconded by Councilmember Steele. Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

ORDER OF AGENDA

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

INFORMATION PRESENTATIONS & PUBLIC HEARING

Mayor Detweiler read and presented Proclamations recognizing the RSVP and Green Thumb organizations; proclaiming National Public Safety Telecommunications Week; and proclaiming April as Fair Housing Month.

CITIZEN PARTICIPATION

None.

UNFINISHED BUSINESS

None.

ACTION PRESENTATIONS

BILL NO. 2016-15

ORDINANCE NO. 12201

AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING A LOT SPLIT WHICH IS PART OF A TRACT OF LAND LOCATED AT 1101 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 of Tract 1: All of Tract 1 of Surveyors Record Book 8, Page 31, being a portion of Outlot 3 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 found at the Northeast corner of Tract 1 of said survey; thence along said tract as follows, South 02 degrees 08 minutes 21 seconds West a distance of 435.16 feet to an iron rod found; thence South 89 degrees 36 minutes 34 seconds West a distance of 187.90 feet; thence North 02 degrees 08 minutes 53 seconds East a distance of 325.86 feet to an iron rod found; thence North 89 degrees 26 minutes 34 seconds East a distance of 59.97 feet to an iron rod found; thence North 02 degrees 05 minutes 25 seconds East a distance of 108.71 feet to an iron rod found; thence North 89 degrees 25 minutes 28 seconds East a distance of 128.00 feet to the Point of Beginning. The above tract of land contains 1.7 acres more or less. Subject to easements and restrictions of record, or not of record, if any.

Description of Tract 2: All of Tract 2 of Surveyors Record Book 8, Page 31, being a portion of Outlot 3 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 found at the Northeast corner of said tract; thence along said tract as follows: South 89 degrees 36 minutes 34 seconds West a distance of 187.90 feet; thence South 02 degrees 08 minutes 53 seconds West a distance of 561.91 feet to an iron rod found; thence North 89 degrees 32 minutes 11 seconds East a distance of 188.00 feet to an iron rod found; thence North 02 degrees 08 minutes 21 seconds East a distance of 561.66 feet to the Point of Beginning. The above tract of land contains 2.4 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 1101 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.

Councilmember Moritz moved to approve Bill No. 2016-15 on first reading; seconded by Councilmember Steele.

Floyd Starbuck, owner of the property, has request a lot split of the north end of the property at 1101 Hildreth to offer for sale as a building site. He lives on the south end of the property. The lot split meets city requirements.

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

Councilmember Moritz moved to approve Bill No. 2016-15 on second reading; seconded by Councilmember Steele. Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

BILL NO. 2016-16 **ORDINANCE NO. 12202**
AN ORDINANCE AMENDING SECTION 345 – PARKING PROHIBITED AT ANY TIME REGARDING EAST PIERCE, AND SECTION 348 – PARKING ON UNIMPROVED RIGHT-OF-WAY – OF CHAPTER 15 OF THE CITY CODE OF KIRKSVILLE, MISSOURI.

WHEREAS, enforcement issues/questions arise, on a regular basis, that result in a review of portions of the current City of Kirksville Code of Ordinances; and

WHEREAS, the proposed changes are recommended to more efficiently bring the written code into compliance with recommendations to resolve identified problems.

WHEREAS, these amendments are intended to be a benefit to and insure safety of the citizens of the City of Kirksville.

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

Section 1. To amend Section. 15-345 of Chapter 15 of the City Code as follows:

Pierce, ~~both sides~~ north side, blocks 700 through 1000 of East Pierce.

Section 2. To amend Section 15-348 of Chapter 15 of the City Code as follows:

Parking on the unimproved **(grass/dirt) street** right-of-way is prohibited ~~on streets constructed after [April 17, 1995,] the date of passage of this ordinance [No. 11183].~~
unless permission is obtained from the adjacent property owner to park in such unimproved street right-of-way.

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

Section 4. This Ordinance shall be in full force and effect on the day of passage.

Councilmember Mills moved to approve Bill No. 2016-16 on first reading; seconded by Councilmember Biston.

Citizen requests for parking changes are included in this Ordinance. Parking on East Pierce in the 700 through 1000 blocks on the south side is restored.

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

Councilmember Biston moved to approve Bill No. 2016-16 on second reading; seconded by Councilmember Mills. Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

Bid – Asphalt

Councilmember Biston moved to approve the bid from APAC-Missouri for asphalt surface repair program, utility repairs and other street work, and authorizing the City Manager to approve additional work and change orders within the limits of the approved budget; seconded by Councilmember Biston.

APAC was the only bidder.

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

Bid – Excavator

Councilmember Steele moved to approve the purchase of a 2016 Case excavator with options/attachments from Crown Power and Equipment; seconded by Councilmember Mills.

Crown Power will pay \$35,000 trade-in for the old Case excavator, bringing the total cost to \$76,966. The budgeted amount was for \$90,000.

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

Bid – Pump

Councilmember Biston moved to approve the purchase of a Gorman Rupp 6” trash pump from CMW Equipment; seconded by Councilmember Moritz.

This is a replacement for the 1991 Gorman Rupp pump at the Water Treatment Plant. CMW was the low bid at \$32,849, which was above the budgeted amount. The bid was lowered to \$29,950 when the price was adjusted for the requested dolly wheel kit instead of a heavy duty trailer.

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

Liquor License – Dolgencorp dba Dollar General Store

Councilmember Biston moved to approve a new liquor license application for Dolgencorp, dba Dollar General Store; seconded by Councilmember Mills.

This is for the north store for Sale of intoxicating liquor and beer (original package).

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

Board of Adjustment Appointment – Andy Grimm

Councilmember Mills moved to approve the appointment of Andy Grimm to the Board of Adjustment to fill an unexpired term; seconded by Councilmember Biston.

A member of the Board of Adjustment, Doyle Dover, recently passed away. Two alternates on the Board were not interested in filling the vacancy. Andy Grimm, son-in-law of Mr. Dover, expressed interest to fill the position on the Board with a term to June 2020.

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

Nancy Reed Fugate Commission Re-appointments

Councilmember Mills moved to approve the re-appointments of Marietta Jayne, Lanier White, Diane Appa, Jan Hartje and Bonnie Collier to the Nancy Reed Fugate Commission; seconded by Councilmember Biston. Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

Watershed Management Commission Appointment – Dr. Barry Poyner

Councilmember Steele moved to approve the appointment of Dr. Barry Poyner, in a Community Citizen position, to the Watershed Management Commission; seconded by Councilmember Mills.

A current Community Citizen member, Dr. Cindy Cooper, will be moving from the community, and she has recommended Dr. Barry Poyner to fill the vacancy. Dr. Poyner is interested to fill that position with a term that expires March 2018.

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

Council Comments

None.

Adjournment

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

Mayor Detweiler adjourned the meeting at 6:30 p.m.

Vickie Brumbaugh, CMC MRCC, City Clerk