

COUNCIL & STAFF PRESENT:

Richard Detweiler	Mayor
Glen Moritz	Mayor Pro Tem
Rick Steele	Councilmember
Phillip Biston	Councilmember
Mari Macomber	City Manager
Vickie Brumbaugh	City Clerk
Ashley Young	Assistant City Manager
Steve Farnsworth	Deputy Police Chief
Absent: Jerry Mills	Councilmember
Howard Hickman	City Attorney

The City Council of the City of Kirksville, Missouri, met in a Special Session on Monday, January 25, 2016, at 7:00 p.m. in the City Hall Council Chambers.

ORDER OF AGENDA

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

INFORMATION PRESENTATIONS & PUBLIC HEARINGS

None.

CITIZEN PARTICIPATION

None.

UNFINISHED BUSINESS

None.

ACTION PRESENTATIONS

BILL NO. 2016-2	ORDINANCE NO. 12191
AN ORDINANCE REPEALING ORDINANCE NO. 12188 AND APPROVING A NEW ORDINANCE TO PLACE ON THE ELECTION BALLOT OF APRIL 5, 2016, THE QUESTION OF WHETHER TO CONTINUE TO IMPOSE A ONE-HALF (1/2) CENT ECONOMIC DEVELOPMENT SALES TAX ON ALL RETAIL SALES MADE IN THE CITY OF KIRKSVILLE, MISSOURI, WHICH ARE SUBJECT TO TAXATION UNDER SECTIONS 144.010 TO 144.525, INCLUSIVE, OF THE REVISED STATUTES OF THE STATE OF MISSOURI FOR THE PURPOSE OF FUNDING STREET MAINTENANCE, STORMWATER IMPROVEMENTS, AND ECONOMIC AND COMMUNITY DEVELOPMENT PROJECTS BEGINNING IN 2019, AS WELL AS, ALLOWING THE CITY TO USE ANY CURRENT SALES TAX PROCEEDS COLLECTED BETWEEN NOW AND THE FINAL PAYMENT DATE IN JUNE 2019 FOR STREET IMPROVEMENTS.	

WHEREAS, the City of Kirksville, Missouri did previously take to the voters in April 2002, the question to impose a one-half cent economic development sales tax, and the voters did approve a one-half cent economic development sales tax for the purpose of funding construction of a project adding two lanes to Highway 63 between Macon and Kirksville; and

WHEREAS, the City of Kirksville, Missouri took a similar measure to the voters in April 2008, the question to continue to impose this one-half cent economic development sales tax, and the voters did approve a one-half cent economic development sales tax for the purpose of funding construction of a project to add an alternate route 63 around Kirksville; and

WHEREAS, the City Council of the City of Kirksville, Missouri, is empowered to extend this tax by Section 94.1008, RSMo; and

WHEREAS, said sales tax is due to terminate on or before the 30th date of June 2019; and

WHEREAS, the City has excess funds from this tax after making its annual obligation to the State and is desirous of using those funds on street improvements, stormwater improvements, and economic and community development projects; and

WHEREAS, said sales tax may be continued after the termination thereof, subject to approval by a majority of qualified voters; and

WHEREAS, the City Council had adopted this measure for placement on the April ballot but have since learned that critical funding for the Kraft-Heinz expansion project may not be forthcoming and the City may now cover the full cost of the parking lot.

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

Section 1. A sales tax of one-half of one percent shall hereby continue to be imposed upon all retail sales in the City subject to taxation under RSMo. Sections 144.010 to 144.525, inclusive. The amount reported and returned to the Director of Revenue shall continue to be computed on the basis of the combined rate of the tax imposed by Section 94.1008, and the tax imposed by this Ordinance, plus any amounts imposed by other provisions of the law.

Section 2. All revenues received by the City from the sales tax imposed herein shall continue to be deposited in a special fund and shall be used solely for the purposes stated herein if approved by the voters of the City at an election to be held the 5th day of April, 2016.

Section 3. The sales tax imposed herein, if approved by the voters as provided for herein, shall continue uninterrupted.

Section 4. An election is hereby ordered to be held in the City on the 5th day of April, 2016, after appropriate public notice and procedures prescribed by the Election Authority of Adair County, Missouri for the purpose of submitting the provisions of this Ordinance to the qualified voters of the City of Kirksville, Missouri.

Section 5. The City Clerk is hereby directed to transmit to the Adair County Election Authority the necessary documentation so that the Election Authority can give notice of said election, and said notice, and the election called for herein, shall comply with the laws of the State of Missouri.

Section 6. The ballot to be used at said election shall be in substantially the following form:

Shall the City of Kirksville, Missouri, be authorized to use excess 2016 funds from the existing economic development sales tax toward construction of a tractor-trailer parking lot for use by Kraft-Heinz and other tractor-trailer parking, and for street improvements, in all other years until final payment is made to the Missouri Highway and Transportation Commission (MHTC) in June 2019; and continue to impose a sales tax of one-half of one percent (1/2 of 1%) after June 2019 for the purpose of funding economic development for economic and community development projects (25% of proceeds) and street and stormwater improvements (75% of proceeds).

Yes

No

Section 7. Upon approval by the voters of the City of the question submitted at said election, the City Clerk is hereby directed to, within ten (10) days thereafter, forward to the Director of Revenue by United States registered or certified mail, a certified copy of this ordinance.

Section 8. This ordinance shall be in full force and effect from and after the date of its passage, and the continuance of the sales tax imposed herein shall become effective upon approval of the voters as provided for herein.

Councilmember Biston moved to approve Bill No. 2016-2 on first reading; seconded by Councilmember Moritz.

City Manager Macomber explained that the Special meeting was called because a change to the ballot language is necessary, and the certification deadline of the ballot question is tomorrow. The revision to the ballot is to allow for the tax funds to go toward a tractor-trailer parking lot for Kraft-Heinz trucks and public use; plus to streets, but if the funds are not needed for a parking lot, then the monies will be used for streets.

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

Councilmember Biston moved to approve Bill No. 2016-2 on second reading; seconded by Councilmember Steele. Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Moritz and Steele. Noes – 0. Absent: Councilmember Mills

Council Comments

None.

Adjournment

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

Mayor Detweiler adjourned the meeting at 7:08 p.m.

Vickie Brumbaugh, CMC MRCC, City Clerk