

CITY COUNCIL STUDY SESSION

TO: Mayor and City Council
FROM: Mari E. Macomber, City Manager ^{MEM}
SESSION DATE: August 31, 2009
TIME: 4:00 p.m.
PLACE: Second Floor Conference Room

We will be in the Second Floor Conference Room on Monday for the Study Session and will need to adjourn by 4:50 p.m.

AGENDA:

- **HUNTING ON CITY PROPERTY**
- **REVIEW PROPOSED 2009 BUILDING CODE**
- **AIRPORT INSPECTION REPORT**
- **NEWSLETTER REVIEW – August 28, 2009**

HUNTING ON CITY PROPERTY

The City Council was asked to consider changes to Article VI, Chapter 18 at the August 3 Council Meeting. There were three proposed changes included in the ordinance.

- 1 – Adding the word “Hunting” to the title
- 2 – Adding language to prohibit the use of bows
- 3 – Adding language to prohibit hunting in the city limits and on city property

The first proposed change was accepted by the Council and approved on August 3. This change may be a concern to the Missouri Department of Conservation (MDC). Matt Wolken with the Missouri Department of Conservation sent a letter to the Council immediately following the August 3 meeting stating that the State of Missouri Constitution entrusted decisions regarding hunting to the MDC. Adding the word “Hunting” may not present any concerns for the State, but may. Mr. Wolken will be attending the City Council meeting on Monday to meet with the City Council to discuss hunting.

The second change was intended to provide clarification to the existing Code that prohibited the Discharge of certain types of devices.

Sec. 18-122. Discharge of air rifles, etc.

It shall be unlawful for any person to discharge an air rifle, BB gun, gas pistol, compressed air gun or other destructive devices on his own premises or

upon or onto the premises of any other person within the city without first obtaining permission to do so from the chief of police.
(Code 1974, § 16-1)

It was interpreted that the wording “other destructive devices” could be interpreted to mean bow. The Council did not support this clarification, supporting a change that would allow the use of bows. The language according to the minutes shows the Council was in support of bow hunting within the city limits. The language was prepared for the Council to consider Monday evening states **“including bows of any kind (unless used exclusively for target practice on their own property)”**.

The third change added language to prohibit hunting in the city limits and on city property. City ordinance already prohibited the ability of someone to discharge a firearm. See language on page 10 in this packet. The Council received a letter from a resident concerning the regulation of bows, hunting, and ability of property owners to protect their property from damage due to wildlife. Again, the ordinance making it illegal to discharge a firearm was adopted in 1974 and amended in 1987. This provision also gives a property owner the ability to apply for a permit when there is destruction to a property owner’s property due to wildlife.

The City has several parcels of ground, airport and landfill that are outside the city limits that have been used by hunters. The landfill property houses the Adair County Animal Shelter and the City’s brush pile that is used by citizens throughout the week.

Recommended Action:

The Council should meet with Mr. Wolken and determine if there are any other changes that should be addressed to insure that the City is not taking action contrary to the State Constitution. The Council also needs to determine if the ordinance proposed for Council approval reflects the Council’s wishes.

REVIEW PROPOSED 2009 BUILDING CODE

Since the early 1900s, the system of building regulations in the United States was based on model building codes developed by three regional model code groups. The codes developed by the Building Officials Code Administrators International (BOCA) were used on the East Coast and throughout the Midwest of the United States, while the codes from the Southern Building Code Congress International (SBCCI) were used in the Southeast and the codes published by the International Conference of Building Officials (ICBO) covered the West Coast and across to most of the Midwest.

Although regional code development has been effective and responsive to the regulatory needs of the local jurisdictions, by early 1990s it became obvious that the country needed a single coordinated set of national model building codes. The nation’s three model code groups decided to combine their efforts and in 1994 formed the International Code Council (ICC) to develop codes that would have no regional limitations.

After three years of extensive research and development, the first edition of the International Building Code was published in 2000. The City waited until 2003, adopting the 2003 IBC.

These codes are updated nationally every three years to reflect changes in building practices, materials and other changes in construction trades and safety standards. The City updates its ordinances less frequently. Staff has been evaluating the 2009 IBC and wished to request its implementation at the September 21 Council meeting with the effective date of November 1, 2009.

Recommended Action:

Review and discuss the changes found in the 2009 Code.

AIRPORT INSPECTION REPORT

The Kirksville Airport is inspected each year by a representative of the FAA, Central Region Airport Division Safety and Standards Branch. The inspection for 2009 was completed on July 21 by Michael Mullen, Lead Airport Certification Inspector. The report identified 10 areas of improvement. Some of the items identified have already been remedied, while a few others will take longer to complete.

Included with this packet is a copy of the letter received by Mr. Mullen. The following is a list of the items identified with staff's initial response.

1. 139.203A-Contents of Airport Certification Manual.

The IRK Airport Certification Manual will be reviewed with you and corrections made. I will be in contact with you to arrange for a meeting in your office so that corrections can be made per your requests.

2. 139.305AE Paved Areas

Taxiway Alpha foreign object debris (FOD) has been removed and the spalling areas will be repaired. Conversations have taken place with our consultant/engineering firm and a representative inspected the problem areas on 8/4/2009 and we are formulating a plan for corrective action.

3. 139.305A3 Paved Areas

The air carrier apron FOD has been removed and the cracking and spalling areas will be repaired. Once again, our consultant/engineering firm and a representative from their firm inspected the problem areas on 8/4/2009 and we are formulating a plan for corrective action.

4. 139.305A4 Paved Areas

Taxiway Alpha FOD was removed from a heave in the pavement that had been repaired on 7/22/2009.

5. 139.311D Marking, Signs, and Lighting

The taxiway markings will be repaired/reinstalled as soon as possible. David Hall will make arrangements for repairs.

6. 139.611D Marking, Signs, and Lighting

Again, the runway 18-36 markings will be repaired/reinstalled as soon as possible. David Hall will make arrangements for repairs.

7. 139.311D Marking, Signs and Lighting

All holding position markings will be repaired/reinstalled as soon as possible.

8. 139.319I1 Aircraft Rescue and Fighting: Operational Requirements

ARFF personnel have been equipped with Personnel Alert Safety Systems (PASS) as of 7/29/2009.

9. 139.321C Handling and Storing of Hazardous Substances

The fuel storage area has been cleaned of vegetation (grass) and a rock bed will be established per NFPA 30, 2.5.7.3.

10. 139.303C Personnel

Airport personnel are being retrained per AC 150/5200-18C for improved daily airport inspections.

Recommended Action:

We will spend a little time reviewing these recommendations and the impact on the City.

NEWSLETTER REVIEW – August 14, 2009

Attachments

- Minutes from Council August 3 Meeting
- Council Report Use of Bows/Hunting on city property
- Proposed Ordinance
- Letter from Matt Wolken
- Existing Code Regarding Discharge of Firearms
- Staff Report Codes Update
- Summary Report – Code Changes
- FAA Inspection Report

BILL NO. 2009-45

ORDINANCE No. 11887

AN ORDINANCE AMENDING CHAPTER 18, ARTICLE VI, OFFENSES AGAINST PUBLIC PEACE OF THE CODE OF THE CITY OF KIRKSVILLE, MISSOURI BY ADDING PROVISIONS ON HUNTING.

Councilmember Chrisman moved to adopt Bill No. 2009-45 on first reading; seconded by Councilmember Rodgerson.

Questions have arisen over the last few years concerning bow shooting and/or hunting inside the city limits. It is recommended that bow hunting not be allowed, nor any hunting of any kind inside the city limits.

Discussion suggested excluding the use of bows for target practice. Liability for this type of practice will have to be checked out with MIRMA and if it would impact the City's cost. The Council consensus was to allow bow hunting, of any kind, and therefore required an amendment to the proposed ordinance.

Councilmember Rodgerson moved to amend Bill No. 2009-45, by deleting the wording – bow (of any kind) – from the ordinance, thus making it lawful to use a bow (of any kind) inside the city limits.; seconded by Councilmember Chrisman. The motion on the amendment carried by the following vote: Mayor Rowe, absent; Mayor Pro Tem Kuhns – aye; Councilmembers: Chrisman – aye; Detweiler – aye; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

The motion to adopt Bill No. 2009-45 on first reading, as amended, carried by the following vote: Mayor Rowe, absent; Mayor Pro Tem Kuhns – aye; Councilmembers: Chrisman – aye; Detweiler – aye; Rodgerson – aye. 4 Ayes; 0 Nays; 1 Absent.

KIRKSVILLE CITY COUNCIL REPORT

Council Meeting Date: August 31, 2009 **Agenda Item:** 1

Report Prepared by: James C. Hughes, Chief of Police

Recommended Motion: That the City Council approves an ordinance amending Chapter 18 of the Municipal Code pertaining to weapons and hunting.

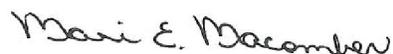
Background: The City Council was asked to consider a clarification to the existing City Code regarding the discharging of weapons. The Code clearly stated that a person could not discharge a firearm within the city limits. The Code also referenced projectile devices, which had been interpreted to mean items such as bows. During Council discussion it was determined that the Council was interested in allowing residents to use bows, but in a restricted manner. This ordinance change reflects the Council's interest to allow the use of bows for target practice.

The second ordinance change concerns the hunting of individuals on city property. The City has property both in and outside the city limits. The ordinance would prohibit hunting on city property except in those areas where we have ordinances in place that allow hunting, such as at Hazel Creek.

This is an item that will be discussed at the City Council Study Session on Monday.

Fiscal Impact: None

Respectfully submitted,



Mari E. Macomber
City Manager

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE REPEALING ORDINANCE NO. 11887; AND AMENDING ARTICLE VI, CHAPTER 18 OF THE CODE OF THE CITY OF KIRKSVILLE, MISSOURI REGULATING THE USE OF BOWS; AND ADDING A SECTION PROHIBITING HUNTING ON CITY PROPERTY.

WHEREAS, the City Council adopted Ordinance No. 11887 on August 3, 2009, regarding hunting inside the City limits; and

WHEREAS, the intention of an Ordinance was to prohibit hunting on City property only; and

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

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

Section I. Amend Chapter 18, Article VI, Section 122 - (Discharge of air rifles, etc.) to read as follows:

It shall be unlawful for any person to discharge an air rifle, BB gun, gas pistol, compressed air gun, or other destructive devices, **including bows of any kind (unless used exclusively for target practice on their own property)** on his own premises or upon or onto the premises of any other person within the city without first obtaining permission to do so from the chief of police.

Section II. Amend Chapter 18, Article VI, Section 125, by adding/creating a new Section 125 to be titled:

Hunting Prohibited on City Property.

Hunting is prohibited on lands and waters owned or leased by the city, except as otherwise provided by ordinance.

Section III. Effective Date

All of the modifications to this ordinance shall be effective from and after its date of passage.

Section V. Incorporation into the City of Kirksville Code of Ordinances

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.

PASSED BY THE CITY COUNCIL OF KIRKSVILLE, MISSOURI AND SIGNED BY THE MAYOR THIS _____ DAY OF _____, 2009.

Martha Rowe, Mayor

ATTEST:

Vickie Brumbaugh, City Clerk



MISSOURI DEPARTMENT OF CONSERVATION

Headquarters

2901 West Truman Boulevard, P.O. Box 180, Jefferson City, Missouri 65102-0180
Telephone: (573) 751-4115 ▲ Missouri Relay Center: 1-800-735-2966 (TTY)

JOHN D. HOSKINS, Director

REPLY TO: Northeast Regional Office
3500 S Baltimore
Kirksville, MO 63501
Telephone: 660-785-2420
Fax: 660-785-2553

August 10, 2009

Kirksville City Council
201 S. Franklin
Kirksville Mo. 63501

Dear Council Members,

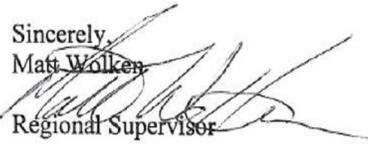
To introduce myself, I am the Regional Supervisor for the Protection Division of the Missouri Department of Conservation (MDC). The Northeast Region is comprised of the 15 counties in NE Missouri and is headquartered in Kirksville.

I read with interest the news of your August 3rd meeting where the City Council prohibited hunting within the city limits of Kirksville. Article IV of the Missouri State Constitution gives the Missouri Department of Conservation sole authority to regulate all hunting within the state. The City of Kirksville has every right to prohibit and/or restrict the use of guns, bows or any other device within the city limits but they cannot prohibit "hunting." I have already visited with Chief Jim Hughes about clarification of this matter and he assured me that it would be amended.

I would however like an opportunity to visit with you regarding the decision to eliminate the opportunity to hunt within the city limits. We have recently been working with a few of the communities in the region who currently prohibit use of archery methods, to amend their ordinances to allow this activity. These communities are experiencing significant deer problems within their city limits and by allowing archery hunting we hope to reduce the deer population. Fortunately, Kirksville has not yet experienced these types of problems and I believe this is partially due to allowing deer to be harvested on the periphery of the city limits. If archery methods, and thereby archery hunting is restricted by city ordinance, there is a possibility that these problems may occur in the future. Hunting is one of the safest outdoor activities and is an activity that I know the City and the community supports.

If the Council is having a study session on this matter I would like the opportunity meet with you regarding this issue. Thank you.

Sincerely,
Matt Wolken


Regional Supervisor

COMMISSION

DON C. BEDELL
SIKESTON

DON R. JOHNSON
Festus

CHIP MCGEEHAN
Marshfield

BECKY L. PLATTNER
Grand Pass

Sec. 18-123. Firearms; discharging generally; exceptions.

(a) *Discharging prohibited.* Except as provided herein it shall be unlawful for any person to discharge or fire any gun, rifle or pistol or other firearms within the city; provided that, nothing in this section shall be construed to prevent an officer of the law in the discharge of his official duties from discharging such firearms.

(b) *Exceptions.* Exceptions to this section are as follows:

(1) *Destruction of property.*

a. If any wildlife is damaging property, then, subject to federal regulations governing the protection of property from migratory birds, and further subject to all regulations promulgated by the conservation commission of the state, the owner of such property, or his authorized agent, may make application to the chief of police for a permit to discharge a firearm within the city for the purpose of killing such wildlife.

b. The applicant for such a permit shall include in such application the name and address of the applicant, a description of the property being damaged by wildlife, a description of the wildlife damaging such property, and the term for which such permit is sought, not to exceed seven (7) days.

c. Upon proper application, the chief of police may issue a permit to discharge a firearm within the city for the purpose of killing wildlife; provided, however, such permit shall authorize the discharge of a firearm only upon real property owned by the applicant, or his principal, for the purpose of killing wildlife present on such real property as described in such application, and the term of such permit shall not exceed seven (7) days.

d. Prior to the issuance of any permit the chief of police shall require the owner, and his agent, if any, to execute an indemnification agreement in favor of the city, in form approved by the city attorney, indemnifying the city from any liability arising out of, or related directly, or indirectly, to the conduct authorized under the terms of such permit; provided, further, that, prior to the issuance of any such permit, the chief of police shall require the owner, and his agent, if any, to obtain the approval of the proposed issuance of such a permit from a local agent of the state department of conservation.

(2) *Shooting galleries.* The discharge of firearms shall be permitted in commercial shooting galleries located in a properly zoned district, and operated under a current business license issued by the city.

(3) *Special shooting events.* The chief police is authorized to issue permits to any civic, service, fraternal, veteran, political or charitable club or organization for special one-day shooting events to be held at such places as, in the opinion of the chief of police, shall provide maximum safety for all persons and property concerned; provided, however, that, alcoholic beverages may not be consumed in the immediate vicinity of such an event by any person participating therein.

(Code 1974, § 16-5; Ord. No. 10801, § 2, 12-21-87)

KIRKSVILLE CITY COUNCIL STUDY SESSION ATTACHMENT

SUBJECT: Adoption of 2009 International Codes

STUDY SESSION MEETING DATE: August 31, 2009

CITY DEPARTMENT: Codes and Fire Department

PREPARED BY: Brad Selby, Codes & Planning Director
Randy Behrens, Fire Chief

The City of Kirksville uses the 2003 International Codes for enforcement of building, plumbing, fire, and other residential and commercial construction practices. The International Codes Council updates these codes every 3 years. We did not update our ordinances for the 2006 year. We have purchased updated code books for the 2009 version and want to update our ordinances to this. In the future, we probably will not update our code every 3 years due to costs. But also, we do not want to fall behind technology and safety improvements that will benefit our citizens. If we were to wait 9 years, that would be too long, and the changes would be substantial.

So, our plan is to implement the 2009 codes this year, and probably to upgrade every 6 years. This includes the codes for International Buildings, Residential for one and two-family dwellings, Fire, Electrical (Administrative Provisions), Plumbing, Mechanical, Property Maintenance, Fuel Gas, Energy Conservation, and the 2008 National Electrical Code (upgraded from the current 2005 NEC).

We anticipate bringing this codes ordinance to the council for approval at the September 21 meeting, if possible. If approved by council, we will be sending out a letter to local Contractors and Architects letting them know of the major changes and to inform them of an effective date. I would like to make the effective date November 1, 2009. Any Contractor who gets a building permit before that date will be under the 2003 code. After that date, he will be under the new 2009 code. Since November 1 is on a Sunday, there will be a clear distinction between the two. After approval of the ordinance, and before it becomes effective, we will be encouraging contractors to come in and talk to us if they have any questions on the new requirements.

Attached to this form are the major changes as we see them from the 2003 to the 2009 International codes.

Major Changes from 2003 to 2009 International Codes

Below are some of the major changes that will be in effect if a 2009 International Codes ordinance is approved:

International Plumbing Code.

608.7 Valve Prohibited. Freeze-proof hydrants of the type that have always been used around the country, will no longer be allowed to be installed in the city's water supply system, unless a backflow preventer is installed upstream of the unit and a sign is installed on the hydrant that says, "Caution: Non potable Water. Do not drink". These hydrants drain water into the ground when shut off. In times of a high water table or a leaking sewer in the area, some water can come back into these drain holes and go up into the pipe. This has the possibility of contaminating the water supply in some circumstances. A new type of hydrant is currently on the market that drains the water into a reservoir at the bottom of the pipe, and when the hydrant is opened, this water is siphoned out with the water flow, and without the possibility of contamination. The hydrants are currently available and are expensive. I would expect the price to come down quickly once they become more in demand and more manufacturers start making them.

International Mechanical Code.

1101.10 Locking Access Port Caps. This addition to the Mechanical code requires that refrigerant access ports on air conditioners, or any outside Freon containing equipment, be equipped with a locking cap to limit unauthorized access. The purpose is to help prevent drug addicts from inhaling toxic chemicals, as the Freon is highly addictive and is considered a gateway drug. Existing units are grandfathered from this requirement.

International Building Code.

419 Live/Work Units. This new section of the International Building code defines structures that can have living and working areas under the same roof without fire separation requirements. It is allowing people to have small retail type shops in the front area of a downtown store or similar location that has a business, and the owner or manager of the business has his living quarters in the back. Requirements for this type of use are spelled out - max square footages, number of employees, etc. Previously, this type of arrangement would require the two areas to be separated by a fire rated wall. This could be a money-saving code change for new business entrepreneurs.

International Property Maintenance Code.

309.4 Infestation. In a multiple occupancy structure infested with pests, if the property is clean when the occupant moves in, and later becomes infested, the occupant and owner are now both responsible for correcting the problem. Previously, only the occupant was responsible. We are presuming this is to get the owner more involved in

working with a tenant who does not take care of these problems, and allows pests to migrate to other occupant's apartments.

International Residential Code.

R302.2 Two-Family Dwellings. This code change allows a reduction in the fire separation requirements of a duplex structure from 1 hour to ½ hour, due to the new requirements of sprinkler coverage in single family and duplex houses. This change will reduce the cost of construction and help to offset the increased cost of sprinklers, and still gives a reasonable level of fire protection, limiting the impact on affordable housing.

R313 Automatic Fire Sprinkler Systems. This new section of the code requires automatic sprinkler protection in one and two-family dwellings, effective January 1, 2011. A properly installed system improves the likelihood of occupants escaping the fire or being evacuated should a fire occur. The Governor of Missouri has a bill before him that would delay the implementation of this requirement by one year, if the bill is signed. If this happens, state law would supersede the 2009 code, and full implementation would take place on January 1, 2012. Of course there are costs for the contractor or owner to implement these changes. The increased safety of the structure is hoped to offset the cost of sprinkler equipment.

N1104.1 Lighting Equipment. This new code requires a minimum of fifty percent of the lamps in permanently installed lighting fixtures to be high-efficiency lamps. These are generally compact fluorescent bulbs, or the smaller diameter T-8 long fluorescents. This requirement is a step toward the goal of eliminating the use of incandescent lamps by the year 2012 for permanent lighting fixtures, as mandated by the government's energy bill.

E3607.3 Buildings or Structures Supplied by Feeder or Branch Circuits. This section requires a separate bare ground wire to be run from the main structure to the accessory or detached building. This is a total of four wires. Both buildings still require their own grounding electrode.

E3902.2 Garage and Accessory Building Receptacles and E3902.5 Unfinished Basement Receptacles. These two code changes expand the locations where Ground Fault Circuit-Interrupter (GFCI) protection is required. These receptacles are now required in all garages, accessory buildings, and unfinished basement areas. The exception areas in the old codes have been eliminated, with the exception of a permanently installed fire or burglar alarm. Appliances are manufactured to be compatible with GFCI devices, and nuisance tripping is no longer the concern it once was. This will increase the cost of an average new house \$200 or less.

E3902.11 Arc-Fault Circuit-Interrupter (AFCI) Protection. The previous code required arc-fault protection only in bedrooms. The new code requires this new type breaker detection in all rooms of the house, with the exception of kitchens, bathrooms, and unfinished basements, which require GFCI, as mentioned above. This expanded coverage area is the result of increasing confidence in the evolving AFCI technology

and proven effectiveness of these devices in detecting arcing characteristics and preventing fires. The average increased cost of AFCI protection for a new single family home, we estimate at \$350.

E4002.14 Tamper-Resistant Receptacles. Any standard household current 15 or 20 amp receptacle will now need to be tamper resistant. This new type of receptacle is designed to prevent the insertion of any small object, such as a paper clip, into one side of the receptacle. Both blades of the plug must be inserted simultaneously to open the protective shield and allow connection to electricity. This added safeguard in the electrical provisions intends to reduce the number of electrical shock injuries to children. The cost of this new type of receptacle is 50 cents higher than a standard receptacle. With an average of 50 receptacles for a new house, this would be around \$25 per house.

International Fire Code.

The International Fire Code has significant changes that reflect changing technology found in fire alarms, sprinklers, exit signs, exit path illumination, and newer alternatives to the fuel we use. One other major change was putting together a logical path for plan review, installation, inspection, acceptance testing, and maintenance of fire protection systems. The code also moved all requirements for existing structures to a new Chapter 46: Construction Requirements For Existing Buildings. This will allow for a quicker look up than having to read individual chapters.



U.S. Department of Transportation
Federal Aviation Administration

Central Region
Iowa, Kansas, Missouri, Nebraska

901 Locust
Federal Building
Kansas City, Missouri
64106

July 28, 2009

File Number: 2009CE800032

Mr. David Hall
Airport Manager
Kirksville Regional Airport
City Hall, 201 S. Franklin
Kirksville, MO 63501

Dear Mr. Hall:

Kirksville Regional Airport
Kirksville, Missouri
Letter of Correction

The annual airport certification inspection of Kirksville Regional Airport was concluded on 7/21/2009. The inspection was conducted to determine compliance with Title 14 CFR Part 139, the Airport Certification Manual, and the Airport Operating Certificate. The inspection revealed that the airport was not in compliance with all of the requirements of Part 139. The following discrepancies to Part 139 were noted during the inspection and those which are unresolved should be corrected by the dates indicated:

1. 139.203A – Contents of Airport Certification Manual.

The IRK Airport Certification Manual is not accurate in descriptions of facilities and responsibility assignments throughout the document. There are numerous references to personnel and facilities in the ACM that were taken directly from the Sample Airport Certification Manual document and do not apply to Kirksville Regional Airport. The entire ACM needs to be reviewed and the inaccurate references corrected.

Correction Date: 8/28/2009

2. 139.305A3 - Paved Areas.

Taxiway Alpha also has FOD located in areas where pavement spalling is occurring. These pavement areas need to be repaired so they are not producing loose aggregate.

Correction Date: 8/28/2009

3. 139.305A3 - Paved Areas.

The entire air carrier apron has FOD from numerous areas of pavement cracking and spalling. These pavement areas need to be repaired so they are not producing loose aggregate.

Correction Date: 8/28/2009

4. 139.305A4 - Paved Areas.

Taxiway Alpha had FOD located in the area of the recent repair of the pavement heave.

Correction Date: 7/31/2009

5. 139.311D - Marking, Signs, and Lighting.

Taxiway markings are not clearly visible due to fading to a very pale yellow color. It appears that a low quality paint was used during the last painting work.

Correction Date: 9/30/2009

6. 139.311D - Marking, Signs, and Lighting.

Runway 18-36 markings are not clearly visible due to the paint flaking off. The runway was recently repainted during a 2007 project.

Correction Date: 9/30/2009

7. 139.311D - Marking, Signs, and Lighting.

The holding position marking in Taxiway Delta is not clearly visible and needs to be repainted. The other holding position markings are in marginal condition and should also be repainted.

Correction Date: 9/30/2009

8. 139.319I1 - Aircraft Rescue and Firefighting: Operational Requirements.
ARFF personnel are not properly equipped with protective clothing to perform their duties. Personnel are not equipped with a Personnel Alert Safety System (PASS) on their SCBA. This device is also required by National Fire Protection Association standards and OSHA.

Correction Date: 8/28/2009

9. 139.321C - Handling and Storing of Hazardous Substances and Materials.

The fuel storage area is not in compliance with the fire safety standards for fueling operations in Section 321 of the ACM. NFPA 30, 2.5.7.3 requires the ground area around tank storage facilities to be free of vegetation that may contribute to the spread of ground fire into the fuel storage area.

Correction Date: 8/28/2009

10. 139.303C - Personnel.

From the results of the inspection, airport personnel with the responsibility for conducting daily airport inspections are not adequately trained. The presence of extensive FOD from pavement spalling and poor markings on the runway and taxiways were not documented on the self inspection records for corrective action. Records indicated that the training has been conducted, however, it does appear that it is ineffective. Airport personnel who conduct daily airport self inspections need to receive adequate training following a curriculum based on AC 150/5200-18C, *Airport Safety Self-Inspection*, reviewing the *FAA Airport Safety Self-Inspection* DVD and reviewing the self inspection related FAA training ppts.

Correction Date: 8/14/2009

We have given consideration to all available facts and conclude that this matter does not warrant legal enforcement. In lieu of such action we are issuing this letter which will be made a matter of record. We will expect your future compliance with the regulations. Please advise in writing when the unresolved discrepancies are corrected, within 15 days of the correction date.

Sincerely,



Michael Mullen
Lead Airport Certification Inspector

Recommendations Attached

RECOMMENDATIONS / COMMENTS
AIRPORT CERTIFICATION INSPECTION
Kirksville Regional Airport
7/21/2009

Recommendation - The entire Terminal Apron pavement is in bad shape. Higher priority should be assigned to obtaining funding for a pavement rehab project.

Recommendation - Plans need to be initiated to install enhanced taxiway centerline markings prior to each runway holding position marking on the airport. These new markings are required to be installed on all Part 139 certificated airports by December 31, 2010.