

# CITY COUNCIL STUDY SESSION

**TO:** Mayor and City Council

**FROM:** Mari E. Macomber, City Manager

**SESSION DATE:** March 21, 2016

**TIME:** 4:30 pm

**PLACE:** City Council Chambers

## **AGENDA:**

- **Municipal Court Report**
- **TEAP Report**
- **Fire Truck Report**
- **Review City Council Agenda**
- **Review Newsletter**

## **Municipal Court Report**

On Monday, the City Council will have the opportunity to visit with Judge Powell-Sutton. Judge Phoebe Powell-Sutton has served as the City's Municipal Judge since 1995. In the last few years, we have set aside time during one Study Session to give Judge Powell-Sutton and the City Council the opportunity to meet and discuss the court system and with State legislation aimed at containing municipal court revenues this dialogue is even more important.

Since the Council last met with the Judge, the Municipal Court completed its transition over to the Justice Information System (JIS) offered through the State of Missouri. Moving over to the State's system has improved efficiency, enhanced collection capability and improved coordination with law enforcement. Citations/violations and upcoming court dates can now be viewed by anyone on Missouri Courts – case.net. Also, as a result of moving to the State's software, Municipal Court has implemented Pay by Web. Pay by Web allows individuals to go online, search for their case and pay their court fees. Staff will be able to present more information on the use of Pay by Web. Municipal Court has also added all of the outstanding municipal arrest warrants onto the website. This list is updated weekly. The list is provided as a public service.

One issue that we have discussed only briefly has been the impact of the actions of the City of Ferguson on our Court. Last year, our State legislators approved Senate Bill 5 which imposed a variety of mandated upon Missouri cities. Senate Bill 5 reduced the "Mack's Creek" cap from an "all-traffic-fines" limit of 30 percent to a maximum on general operations revenues derived from "minor traffic violations" of 20 percent for cities outside of St. Louis County. This year proves to be the same with additional bills filed that would

restrict the amount of revenues collected from fines and fees and would also expand what is included in the calculation by adding property maintenance code violations.

Monday's meeting with Judge Phoebe Powell-Sutton is an opportunity for the Council to ask any questions that you might have regarding municipal court operations. In addition, City staff will review some of the above mentioned items, as well as other court operations to obtain feedback from the City Council.

### **TEAP**

The City was awarded funds to conduct an intersection safety, pedestrian safety, and bicycle safety within the downtown area. The funds were provided through the Traffic Engineering Assistance Program (TEAP). The goal of this study is to help us to determine the most economical way to direct traffic in and out of the downtown square. The engineering firm of Shafer Kline & Warren was hired to conduct the study.

The focus of the study did not focus on the traffic pattern around the courthouse, but was intended to look at the traffic off of the square. As we continue to work toward improving access to the downtown, looking at projects like the Illinois Corridor improvement project, and making decisions about façade and street scape improvements, evaluating the direction of the roadways in and out of the downtown will be important.

Deputy Public Works Director Len Kollars will be present to give an update to the City Council on this project.

### **Fire Truck Report**

Last fall the Council received a report outlining the plans of the Fire Department to move forward with the next replacement apparatus. Members of the Fire Department have been serving on a truck committee for the last few months to identify the necessary components for replacement truck. In that earlier presentation, Chief Collins explained to the Council that the committee was interested in replacing Truck 502 with a quint. Truck 502 is a 1994 Seagraves 65' Telesquirt.

Since this is a big purchase, we wanted to come back one more time with an update for the City Council before the bid specifications were completed and sent out to potential vendors. Members of the truck committee should be in attendance on Monday.

As a reminder, through the Capital Improvement Sales Tax there is an annual allocation of \$100,000 that goes toward the replacement of the fire trucks.

### **Attachment**

- Staff Report Municipal Court
- Trial Balance Reports for February and December
- Staff Report TEAP
- Staff Report Fire Truck

## **KIRKSVILLE CITY COUNCIL STUDY SESSION ATTACHMENT**

**SUBJECT:** Municipal Court Update

**STUDY SESSION MEETING DATE:** March 21, 2016

**CITY DEPARTMENT:** Administration

**PREPARED BY:** Pat Meredith

Judge Phoebe Powell-Sutton will review court activities with the City Council and will be available to answer questions. Judge Powell-Sutton has served as the City's Judge since March 1995. The City Council renewed Judge Powell-Sutton's agreement in March 2015 for an additional 3-year term.

Working with Judge Powell-Sutton and court staff, City Attorney, and Prosecuting Attorney we met and discussed the changes in the revised Missouri Statutes from the passing of Senate Bill 5 in 2015 and other court issues.

Substantive topics/changes included:

**Community Service** - In 2014 we provided 3,374 hours community service in lieu of \$20,244 in fines at the rate of \$6.00 per hour. In 2015 we are average \$1,000 to \$1,500 hundred dollars per month or \$11,000 through September. We agreed that all defendants who may have limited means of paying their fines will be set up on a payment plan for 90-days. If at the conclusion of the 90-days they have been unable to satisfy any of their fines the defendant may request and complete an application for community service verifying their income to the Judge. Community Service will not be offered as a first option. Community Service may be used for fines but will not be allowed to off-set court costs or in lieu of bond forfeitures. Community Service is not an entitlement and may be withdrawn by the Judge if the defendant does not make a good faith effort to show up for scheduled community service. Finally, defendants when available community service will be for the benefit of the citizens of Kirksville working for the City cleaning up area parks, animal shelter service, etc. The Judge has tweaked this some but it seems to be working well.

**What are our options to deal with repeat offenders that keep coming back?** - As long as it is not a code violation the Police Department can file citations for repeat offenders (unlicensed vehicle, driving without a license, etc.) under a state charge this could eliminate the need to jail them and limit the time we are spending with these offenders. Police Officer's will check criminal records and send a copy to the prosecutor. In addition, the court on any accident cases with damages will try to only collect up to \$500 to cover the deductible if possible. Larger amounts can be pursued through the Circuit Court of Adair County by the victim.

**Payment Plan Guidelines** – The court typically expects \$100 per month payments for charges, restitution, fines, etc. Fifty (\$50) dollars a month is the minimum, however on occasion the Judge has allowed less due to circumstances. \$100 is the most often used payment and some higher than that. All payment plans are approved by the Judge.

**Parking Tickets Options** - The Boot Ordinance has been revisited by the City Council.

**Warrants nearing 300** – The City prosecutor will look at warrants annually and determine if warrants that are more than 10 years old should be Dismissed/Nolle Prosequi. The Police Department is going to be more aggressive in locating and serving warrants.

**Discuss collection opportunities with JIS software and tax options.** – Only a few outstanding fines have been sent to collections at this time. Most people are making payments.

**Jail board fees** – Judge Sutton assesses board fees when possible. There are occasions when they cannot be assessed. Board fees are a necessary punishment for failure to comply.

**Pay By Web** – The ability to pay fines and costs on disposed cases with a credit card or e-check online is gaining in popularity. Defendants can gain access to Pay by Web by going to [www.courts.mo.gov/casenet](http://www.courts.mo.gov/casenet). Court payments are handled differently than credit card use at the Finance window or Parks and Recreation. At this time we cannot collect fines and cost with a credit card at the court window. We will be making a computer available to the public who may not otherwise have internet access to pay online.

The two attachments reflect a reduction in outstanding charges since December 2015 we are hopeful these changes will continue this trend.

Attachments:

February 2016 Trial Balance

December 2015 Trial Balance

Report: CBRFAGE  
 User: SANDSTRS  
 Instance: CT02

02nd Judicial Circuit  
 A/R Aged Trial Balance

RunDate: 29-FEB-2016  
 RunTime: 03:12 P.M.  
 Page: 1

Detail Code [MV]: ALL  
 Accounting Basis - (C)ash or (A)ccrual: ALL  
 Case ID [MV]: ALL  
 Court Code: 02  
 Location Code: 9Q  
 Report Type - (D)etail or (S)ummary: S

Detail Code	Detail Description	Balance	0 - 29 days	30 - 59 days	60+ days
5002	Clerk Fee	1,101.50	0.00	0.00	1,101.50
5008	Court Automation	14.00	0.00	0.00	14.00
5010	Board Bill-Deft	1,566.50	0.00	335.00	1,231.50
5016	CVC Surcharge State	690.00	0.00	0.00	690.00
5022	LET-Muni	410.00	40.00	34.00	336.00
5024	POST-State	92.00	0.00	0.00	92.00
5034	Restitution	15,147.93	1,271.73	0.00	13,876.20
5040	Fine-Muni Ordin Other	56,895.50	2,931.50	3,640.00	50,324.00
5041	Fine-Muni Ordin Traffic	17,235.50	1,445.00	815.00	14,975.50
5060	Clerk TDN Muni	30.00	0.00	0.00	30.00
5141	Fines-Traffic E/R	1,235.00	400.00	400.00	435.00
5212	Sheriff Retirement-CO/Muni	435.00	60.00	39.00	336.00
5300	Municipal Ord Standard Costs	2,751.50	440.00	289.50	2,022.00
5302	Municipal Ord-Traffic E/R	275.00	110.00	110.00	55.00
8202	Bond Forfeited	6,421.00	50.00	0.00	6,371.00
Grand Total:		104,300.43	6,748.23	5,662.50	91,889.70

\*\*\* END OF REPORT \*\*\*  
 Number of records printed: 15

Report: CBRFAGE  
 User: SANDSTRS  
 Instance: CT02

02nd Judicial Circuit  
 A/R Aged Trial Balance

RunDate: 31-DEC-2015  
 RunTime: 02:37 P.M.  
 Page: 1

Detail Code [MV]: ALL  
 Accounting Basis - (C)ash or (A)ccrual: ALL  
 Case ID [MV]: ALL  
 Court Code: 02  
 Location Code: 9Q  
 Report Type - (D)etail or (S)ummary: S

Detail Code	Detail Description	Balance	0 - 29 days	30 - 59 days	60+ days
5002	Clerk Fee	1,180.00	12.00	0.00	1,168.00
5008	Court Automation	21.00	7.00	0.00	14.00
5010	Board Bill-Deft	1,419.00	1,139.00	280.00	0.00
5016	CVC Surcharge State	742.50	7.50	0.00	735.00
5022	LET-Muni	431.50	36.00	24.00	371.50
5024	POST-State	99.00	1.00	0.00	98.00
5034	Restitution	16,112.89	0.00	1,231.85	14,881.04
5040	Fine-Muni Ordin Other	62,705.50	3,265.00	7,227.00	52,213.50
5041	Fine-Muni Ordin Traffic	17,165.50	1,477.50	185.00	15,503.00
5060	Clerk TDN Muni	30.00	0.00	0.00	30.00
5141	Fines-Traffic E/R	1,637.00	362.00	367.50	907.50
5212	Sheriff Retirement-CO/Muni	459.00	51.00	33.00	375.00
5300	Municipal Ord Standard Costs	2,936.50	395.50	300.50	2,240.50
5302	Municipal Ord-Traffic E/R	165.00	55.00	27.50	82.50
8202	Bond Forfeited	6,703.50	0.00	0.00	6,703.50
Grand Total:		111,807.89	6,808.50	9,676.35	95,323.04

\*\*\* END OF REPORT \*\*\*  
 Number of records printed: 15

↓  
*Outstanding  
 Balance*

KIRKSVILLE MUNICIPAL DIVISION  
 Circuit Court of Adair County  
 201 SOUTH FRANKLIN, CITY HALL  
 KIRKSVILLE, MO 63501-3580

## **KIRKSVILLE CITY COUNCIL STUDY SESSION ATTACHMENT**

**SUBJECT:** TEAP-3700 (210), Downtown Traffic Study

**STUDY SESSION MEETING DATE:** March 21, 2016

**CITY DEPARTMENT:** Engineering

**PREPARED BY:** Len Kollars, Deputy Public Works Director / City Engineer

The City of Kirksville was selected to receive funding made available by the Federal Highway Administration through its Traffic Engineering Assistance Program (TEAP), and coordinated through MoDOT. City of Kirksville intends to perform a traffic study in the Downtown Business District with respect to circulation, flow direction, and access to the town square.

The City contacted three (3) consulting firms to perform the traffic study and selected Shafer Kline & Warren from MoDOT's approved list of Traffic Engineering Consultant's. The City desires to keep the one-way traffic flows adjacent to the courthouse square but look at traffic recommendations for blocks beyond the courthouse square. The traffic study will review the street sections and intersections to determine the viability of safely changing the traffic direction of flows on streets leading into the downtown.

Recommendations will include general implementation steps that will be needed for the modification of traffic control, parking, and pedestrian safety. Study recommendations will not include detailed design of street improvements or traffic signal modifications.

## **KIRKSVILLE CITY COUNCIL STUDY SESSION ATTACHMENT**

**SUBJECT:** Purchasing new fire truck

**STUDY SESSION MEETING DATE:** 3/21/16

**CITY DEPARTMENT:** Fire

**PREPARED BY:** Tom Collins

As part of the truck replacement program, the Kirksville Fire Department is in the process of putting together specifications for a new truck.

The plan calls for replacement of the truck in 2017. There is approximately a one year build time so we expect to put out the request for bids by late summer 2016.

The truck committee has been working on several aspects of the truck replacement.

- Which truck to replace – 502 (quint, and oldest of the fleet)
- Which type of quint to purchase. (Mid mount ladder or rear mount.)
- Features to have on the truck. (foam, generator, etc.)
- Compartment space needed.
- Changes in response order of trucks with the inclusion of the new quint.

Anticipated time line

- Specifications ready by mid-summer
- Bids back by late summer
- Take delivery in fall of 2017