

# **KIRKSVILLE CITY COUNCIL**

## ***NEWSLETTER . . .***

Mari E. Macomber, City Manager  
January 29, 2011

### **SUBJECTS:**

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SURPLUS PROPERTY  
DUCK BLINDS  
FIRE PREVENTION GRANT**

### **DATES TO REMEMBER**

2/1 – LPRC – 12:00 pm second floor conference room  
2/1 – KREDI Annual Meeting – 11:45 at Kirksville Country Club  
2/1 – KDIC @ 5:30 pm – Chamber of Commerce Meeting Room  
2/2 – KHPC @ 3:30 followed by Historic Preservation Survey Presentation @ 4:00  
2/4 – Ron Celian Retirement Reception from 3:00 to 4:00  
2/5 – Ag Show Nemo Fairgrounds  
2/9 – P&Z @ 7:00 pm  
2/16 – City Manager attending MML Legislative Day  
2/17 – City Manager attending DNR Training in Milan  
2/18- State of the County – 7:30 refreshments, 8:00 am presentation  
2/21 – No Council Meeting – Martin Luther King Holiday – city offices closed  
2/22 – Council on the Radio – 9:00 am  
2/28 – City/School Board Meeting

### **COUNCIL FILING**

There are four council candidates on the April ballot. They are, in the order of filing, Roger A. Edge, Sr., Jerry Mills, Eddy A. Williams, and Betty L. McLane-Iles.

## **DENTAL SCHOOL**

Just a reminder to the City Council that the 1<sup>st</sup> of February is the last call for anyone to make a pledge to the Dental School. The Community Friends for ATSU Dental has done a spectacular job of getting the word out. It's one of the best opportunities for economic advancement our community has seen in a long time. The goal: Raise \$1 million by February 1, 2011 to establish a dental school in Kirksville, MO. The pledges total \$742,422 according to the website, which can be found at the following address. <http://www.communityfriendsforatsudental.org/> It is my understanding that a decision may be made by February 16.

## **CITY WEBSITE**

The State of the City Address was videotaped and will be placed on the City's website, as will the entire State of the City power point presentation. In addition the 2011 Budget has been added to the website and can be seen at [http://www.kirksvillecity.com/filestorage/72/122/2606/2011\\_Budget\\_Document\\_Final.pdf](http://www.kirksvillecity.com/filestorage/72/122/2606/2011_Budget_Document_Final.pdf)

## **COUNCIL ON THE RADIO**

Just a reminder that the City Council is scheduled to be on the radio on the 22nd of this month at around 9:00 am. Mayor Pro Tem Detweiler represented the City Council for the January Area Scene. Please let me know who would like to represent the City Council in February.

## **TCRC AGREEMENT**

The Executive Committee of the TCRC met this month to discuss the Memorandum of Agreement and how the assets would be divided among the partners. It was communicated to the partners that the City was interested in trying to retain some of not all of the services. The City will be going through the building and identifying those assets that were contributed by the City at the onset and those assets that are attached to the building that would cause damage to the ceiling and walls if removed. We will need to do this by April, and then the partners will have the month of May to determine what if any of the remaining assets they wish to request. We have to determine fair price for these assets and then how the balance of the equipment and furnishings will be liquidated. Contacts have been made to several of the City's who were TCRC partners (Salem, Nevada and Mexico). Contact was also made with a few local entities including the County Commission, as well as distance education users like the University of Missouri St. Louis to inquire about future interest in partnering on distance learning. There is nothing definitive at this point to report. A press release was issued in an attempt to drum up some interest. A copy of this release is included.

## **SOUTH 63 PROJECT**

We are moving forward with the help and support of District Two MoDOT on the grant and loan application through the Cost Share Program. The application is due on February 9. There are some temporary easements that we will need to obtain for this project, and will have to work to get these very soon. The temporary easements are needed to allow us to complete the construction. A new store is moving in called Glikes. This is a clothing store with name brand fashions that include North Face, Hurley,

Billabong, Silver Jeans and Fox. They have about 53 stores in Missouri, Illinois, Indiana, Michigan, Minnesota, Wisconsin, Iowa and South Dakota.

### **LEGISLATIVE SESSION**

Included for your information are the bills that have been filed that may have some impact on municipal operations. The MML Legislative Session will take place on February 16 and 17. The City Manager will be attending on behalf of the City.

### **SNOW REMOVAL**

We had 13.5 inches of snow in January. The crews have responded during each snow event. Included with this Newsletter is a summary report of the cost of snow removal to the City. The City is also responsible for snow removal along Highway 63 and New Street. We do not have the costs for this service yet.

### **KREDI ANNUAL MEETING**

This note is just a reminder for those of you who will be able to attend the annual KREDI meeting this week at the Kirksville Country Club. Mark. Lunch will be served starting at 11:45 a.m. with the business meeting to start at noon. This is the election of board members and a report of activities to the membership, as well as an opportunity for members to give comments, ideas and other input to the organization. The lunch is provided by K-REDI but invitations will be out soon asking for reservations for planning purposes.

### **KHPC UPDATE**

Kerry Davis, Architectural Historian, will be giving a public presentation at the Kirksville Historic Preservation Commission (KHPC) Meeting on Wednesday, February 2nd at 4pm in City Hall Council Chambers. Davis will present findings from her architectural resource survey plan which began in July 2010. The public is encouraged to attend and ask questions. The City of Kirksville was awarded a grant from the Missouri Department of Natural Resources, State Historic Preservation Office, to provide an architectural and historic resource survey plan. The plan was to identify historic contexts that outline the development of Kirksville and historic trends that affected its growth and physical developments. The plan will be used not only as an educational tool for helping citizens better understand the history and historic character of the city, but also as the basis for a KHPC work and preservation plan. The plan will be the basis for future preservation planning. It will be used by the City and the KHPC to set priorities for targeting preservation efforts and funding, including planning for future grant applications. The plan will also include sufficient historical background to evaluate significance under National Register criteria, with descriptions and property analyses for proposed historic districts. Again, the public is encouraged to attend the presentation on Wednesday, February 2nd at 4pm in City Hall Council Chambers.

### **BUSINESS ANNIVERSARIES**

Some long-time Kirksville businesses celebrating their anniversaries in 2011 will be congratulated by receiving cards from the City as follows: In January, Pagliai's Pizza and Sparks Contractors celebrated 30 years. Congratulations cards will also be sent in

February to 40-year businesses of Lloyd's Sales and Welte Antiques, plus Shelter Insurance (Debbie King) at 35 years. Paul's Pipe and Coin will have been here for 30 years in April, and 45 years for Farr Accounting in October. We can also extend our verbal congratulations throughout the year if we are visiting any of these businesses. In addition to these anniversaries a few new stores are opening. We received a business license application for Dave's Studio. Anytime Fitness has been in and applied for the license, but from what I understand, they aren't going to be open for at least a month.

### **DOWNTOWN CID**

The Kirksville Downtown Improvement Committee Fundraising Committee has begun its work on a proposed community improvement district (CID). This is the funding mechanism that was recommended in the Downtown Redevelopment Plan and the DREAM Initiative. In order to complete a CID, there is a very specific process that must be followed. Members of the Fundraising Committee met with the City's Attorney Howard Hickman to discuss the process and to see if he would be willing to assist them in the process. The KDIC does not have the funds upfront to implement a CID. The City has provided upfront support when the Downtown TIF and the South 63 TIF and CID were being worked on with the understanding that the first receipts would go back to the City reimbursing the City for its out-of-pocket expense. A formal agreement would need to be developed to allow for this. Unless I hear otherwise from the City Council, we will move forward with an agreement that protects the City from spending money without assurance that we will be reimbursed. The Committee is planning an "Informational Meeting" day for the downtown business owners for possibly February 22<sup>nd</sup>.

### **CELL TOWER AT CITY HALL**

The Council may recall that T-Mobile was interested in placing a new cell tower behind City Hall removing the existing tower. The City would be able to retain their equipment on the tower, would receive a rental fee but would not have the maintenance of the tower. We just learned that this project may have a glitch. T-Mobile contracted with a company to do an evaluation on the impact this tower would have on historic resources. The person hired for that job has contacted SHPO (the State Historic Preservation Office). SHPO has expressed concern over the fact that City Hall has been identified as an historic building and there is a plan to construct a new cell tower next to it. The City of Kirksville is a CLG (Certified Local Government), recognized by the State. We just recently had a survey done for all of the downtown area, and identified all of the buildings with historic relevance in the area. We have made contact with T-Mobile to let them know of this potential issue and will proceed accordingly.

### **BATTLE OF KIRKSVILLE**

The Battle of Kirksville Committee is meeting again. Councilmember Chrisman continues to serve as the chair of this group. There are two events being planned for this year. The first will be in April and will be a reenactment event at a location near Milan. The second event will occur in August in conjunction with the Battle of Kirksville anniversary.

## **WASTEWATER TREATMENT PLANT REPAIRS**

Solomon boiler works has been repairing the Methane system and furnace/boiler at the WWTP all week, and the problems uncovered have continued to grow. They have had to replace 90 feet of 4-inch steel line which was both packed almost full of hardened residue from the methane gas, and badly deteriorated from the corrosive contaminants with the gas. They are still working but plan to be finished on Friday. They were pressure testing the system earlier this afternoon. We originally estimated the work at \$2,500, but this work is going to be significantly more than that. We have had two pipefitters/boiler specialists on site for 3½ days. John Buckwalter's estimate of labor alone is over \$4,000. We could be looking at a bill of \$8,000 or more. This is an emergency repair at this point, we cannot continue to vent the methane, and we are spending hundreds of dollars a day for propane to replace the methane for heating the digesters. We will keep the Council informed.

## **SURPLUS PROPERTY**

There are 124 Surplus Property Items listed on the Bid Form. Some of these items are computers, street lights and bleachers that were not bid on during the last bidding. Many items have been added which came from unclaimed property provided by the Police Department. This Bid Invitation will be offered to the general public and has been posted to the City's web site. The items to be seen at City Hall will not be available to look at until January 14.

## **DUCK BLINDS**

The funding, construction and future focus of Hazel Creek Lake was approved by voters through a referendum in November, 1982. This referendum limited the recreational activities allowed at Hazel Creek Lake. Since that time, previous City Councils adopted ordinances outlining certain uses including regulations associated with duck hunting. The Council's have not been inclined to change the rules to increase the flexibility of the hunters that use Hazel Creek. In 2003 and 2004, the City Council met with duck hunters to discuss the rules and regulations of duck hunting allowed on Hazel Creek. The Lakes, Parks and Recreation Commission did, as well. A legal opinion was issued at that time by the City Attorney regarding the allowable recreational uses. The City is being asked to loosen the regulations regarding the removal of duck blinds at the lake. This request was made to the LPRC, who may be discussing this matter on Tuesday. We will need to find the information that was previously discussed so that the City Council can make an informed decision should this matter go forward. In addition, since the City Council has a Watershed Management Commission, it probably would be the right thing to do to have this Commission review the request for changes from a different view point.

## **FIRE PREVENTION GRANT**

The Fire Prevention and Safety Grants (FP&S) are part of the Assistance to Firefighters Grants (AFG), and are under the purview of the Grants Program Directorate in the Federal Emergency Management Agency. FP&S Grants support projects that enhance the safety of the public and firefighters from fire and related hazards. The primary goal is to reduce injury and prevent death. In 2005, Congress reauthorized funding for FP&S

and expanded the eligible uses of funds to include Firefighter Safety Research and Development. By applying for this Grant the Kirksville Fire Department could expand public fire and safety education to the citizens of Kirksville. The Kirksville Fire Department would like to apply for Freddie the Fire Truck, PC the Patrol Car and Andy the Ambulance. The department has been working towards setting up a group of different agencies to promote safety in Kirksville. This would be purchasing one robot motor and being able to interchange the body covers. We would also be looking at purchasing hand out materials. With the success of students riding to school on the fire truck this would be another way of expanding the safety programs that the group is trying to promote. Fire Departments serving areas with a population between 20,000 and 50,000, inclusive, must match the Federal grant funds with an amount of non-Federal funds equal to ten percent of the total project cost. We are looking at a cost of \$20,000 and the cost to the city would be \$2,000 with \$18,000 being reimbursed if awarded.

#### Attachments

- TCRC Press Release
- Proposed Legislation
- Snow Removal

**Kirkville TCRC**

P. O. Box 1055

315 S. Franklin

Kirkville, MO 63501

PHONE (660) 785-2530

FAX (660) 785-2533

E-MAIL [kvtcrc@missouri.edu](mailto:kvtcrc@missouri.edu)WEB SITE [www.kvtcrc.org](http://www.kvtcrc.org)

## Press Release

Date: January 27, 2011

The Kirkville Telecommunications Community Resource Center (TCRC) partners: the University of Missouri Extension, City of Kirkville, Truman State University and the Kirkville RIII School District are announcing the upcoming closure of the TCRC as we know it. Operations will cease August 12, 2010.

The City of Kirkville is interested in keeping the services or part of the services available to Kirkville Citizens. To do that, a partner or partner(s) are needed. Persons who have ideas or want to consider becoming a partner, contact the Kirkville City Manager's office, 660-627-1225.

The Kirkville TCRC is located at 315 S. Franklin Street, Kirkville, Missouri. Through the existing partnership, significant numbers of persons have gotten their teaching certificates, master's degrees, and PhDs using our services and are now working in schools in our area. Thousands of persons have used our public access computers (writing their resumes, applying for jobs, taking on line courses, and ...), and office services, many persons have reserved our multimedia work station to edit photos, videos, and producing streaming videos, several thousand persons have taken our computer classes and used their knowledge at work and home. MU Extension Specialists have been able to reach more persons in our rural area and across the state with their programs. Videoconferencing has also saved them time and money.

## FIRST SESSION OF THE 96<sup>TH</sup> GENERAL ASSEMBLY

### LEGISLATIVE ACTIVITY

The main activity of both the House and the Senate is committee hearings. With few exceptions, committee work will continue to be the primary focus of the legislature until the middle of February. Floor action on most bills will not begin until then. Currently the only bill of municipal interest that is moving in either chamber is [S.B. 11](#), a bill that would make it illegal for all drivers to text on cell phones while driving. S.B. 11 was voted Do Pass out of the Senate Transportation Committee and is on the Senate perfection calendar. The bill specifically preempts municipalities from enforcing local ordinances prohibiting texting while driving.

[S.B. 109](#), introduced by [Senator Stouffer](#), would invalidate major provisions of municipal billboard ordinances and shift the cost of removing nonconforming signs onto local governments. This bill will be heard Wednesday, February 2, at 8:30 a.m., in Room SCR-1. Now is an excellent time to communicate your concerns to your Senator and Representative on S.B. 109 and its House companion bill, [H.B. 228](#) introduced by [Representative Schoeller](#).

### SENATE BILLS

[S.B. 109 Right to Work \(Crowell\)](#) ... employers are barred from requiring employees to become or refrain from becoming a member of a labor organization or pay dues or other charges required of labor organization members as a condition of employment.

[S.B. 120 Billboards \(Stouffer\)](#) ... limits municipal regulation of billboards. Allows all nonconforming billboards to be treated in all aspects as conforming billboards, including upgrades in technology, lighting and extensions. Establishes procedures for resetting billboards when construction occurs along any highway district. (Opposed by League Policy)

[S.B. 121 LAGERS \(Stouffer\)](#) ... requires the Local Government Employees Retirement System (LAGERS) to pay death benefits for job related injuries and disease.

[S.B. 139 Tax Credits \(Crowell\)](#) ... subjects all state tax credits to the appropriation process.

[S.B. 143 MoDESA Act Sunset \(Crowell\)](#) ... sunsets under the Missouri Downtown and Rural Stimulus Act in 2011 instead of 2013.

[S.B. 144 Tax Credit Moratorium \(Crowell\)](#) ... places a one year moratorium on Low Income Housing and Infrastructure Development Tax Credits.

[S.B. 151 Insurance Bids \(Callahan\)](#) ... political subdivisions procuring insurance coverage through a risk pool would not be required to solicit bids for their insurance coverage.

[S.B. 154 LAGERS \(Schaaf\)](#) ... prohibits a person who retires before 60 and chooses the partial-lump sum payment from receiving a monthly benefit of more than 90 percent of the amount of their unreduced monthly benefit.

[S.B. 155 TIF \(Rupp\)](#) ... prohibits the governing body of a municipality from overriding the recommendation of the TIF Commission in St Louis, St. Charles and Jefferson Counties.

[S.B. 158 Clean Water Permit Fees \(Keaveny\)](#) ... allows the Missouri Department of Natural Resources to continue to levy NPDES fees until 2015. The fee expired on December 31, 2010.

[S.B. 170 Public Employee Retirement Plans \(Crowell\)](#) ... requires all public employee retirement plans to submit a quarterly investment performance report to the General Assembly.

## **HOUSE**

[H.B. 206 Illegal Immigrants \(Meadows\)](#) ... any employer who hires an illegal immigrant would be subject to a \$50,000 fine.

[H.B. 207 Red Light Cameras \(Meadows\)](#) ... limits the use of red light cameras to school and work zones.

[H.B. 221 Workers' Comp. \(McNary\)](#) ... employers and employees will not be liable for any injury or death for which compensation is recoverable under Missouri's workers' compensation program.

[H.B. 222 Property Tax Assessment \(Schneider\)](#) ... increases the number of years before newly constructed residential property that has never been occupied is assessed for taxation.

[H.B. 228 Billboards \(Schoeller\)](#) ... limits municipal regulation of billboards. Allows all nonconforming billboards to be treated in all aspects as conforming billboards, including upgrades in technology, lighting and extensions. Establishes procedures for resetting billboards when construction occurs along any street or highway. (Opposed by League Policy)

[H.B. 233 Funeral Protests \(Lant\)](#) ... makes it a crime to picket or protest in front of or about any location at which a funeral is held.

[H.B. 238 Unemployment Benefits \(Kander\)](#) ... allows a spouse of an active duty Armed forces reservist to be eligible for unemployment benefits if accompanying the military spouse.

[H.B. 263 \(Same as S.B. 154\) LAGERS \(Weter\)](#) ... prohibits a person who retires before 60 and chooses the partial-lump sum payment from receiving a monthly benefit of more than 90 percent of the amount of their unreduced monthly benefit.

[H.B. 269 Tort Claims \(Molendorp\)](#) ... places a monetary cap on tort claims involving motor vehicles operated by a not-for-profit ambulance organization.

[H.B. 274 \(Same as H.B. 233\) Funeral Protests \(Bahr\)](#) ... makes it a crime to picket or protest in front of or about any location at which a funeral is held.

[H.B. 278 Streamline Sales Tax \(McNeil\)](#) ... directs the Missouri Department of Revenue to implement the provisions of the multistate Streamlined Sales and Use Tax Agreement.

[H.B. 309 Law Enforcement Retirement Fund \(Black\)](#) ... creates a law enforcement officers retirement system to be funded by a \$7 surcharge on all criminal cases. Board members would be selected by the Missouri Fraternal Order of Police, the Missouri Sheriff's Association and the Missouri Police Chief's Association.

[H.B. 311 State Licensing of Electrical Contractors \(Gatschenberger\)](#) ... establishes a state board to regulate and license electrical contractors. The bill preempts local regulation and licensing of electrical contractors.

[H.J.R.6 Union Elections \(Cierpoit\)](#) ... requires secret ballot in employee elections to authorize union representation.

[H.J.R.8 Fair Tax \(Koenig\)](#) ... replaces all taxes on income with a sales and use tax, sometimes referred to as the "Fair Tax." (Opposed by League Policy)

## 2010/2011 Snow & Ice Removal Report

### Snow Plowed As of 1/24/11

	2009/2010	2010/2011
Labor Hours	1,300.00	506.00
Overtime Hours	875.25	452.60
Total Labor Cost	\$48,218.17	\$23,053.95
Material Cost	\$65,332.12	\$22,369.87
Equipment Cost	\$77,890.00	\$38,952.00
Miles Plowed	16,908.9	8,210.7
<b>Total Cost</b>	<b>\$191,440.29</b>	<b>\$84,375.82</b>

	2009/2010	2010/2011
Labor Hours	102.50	88.00
Overtime Hours	32.00	20.00
Total Labor Cost	\$2,926.44	\$2,068.92
Material Cost	\$4,102.30	\$2,008.97
Equipment Cost	\$3,510.00	\$3,520.00
Mileage	779	620
<b>Total Cost</b>	<b>\$10,538.74</b>	<b>\$7,597.89</b>

### Snow Hauled 2009/2010      2010/2011

Labor Hours	215.00	273.25
Overtime Hours	207.25	
Total Labor Cost	\$9,709.90	\$4,710.80
Material Cost	\$1,011.67	
Equipment Cost	\$21,413.50	\$12,439.00
Loads Hauled	706	344
<b>Total Cost</b>	<b>\$32,135.07</b>	<b>\$17,149.80</b>

Material Handling

	2009/2010	2010/2011
<b>Total Materials Used</b>		
Salt (tons)	824.8	243.6
Geo Melt(Gal)	4,948.8	1,461.6
<b>Total Cost</b>	<b>\$44,992.84</b>	<b>\$21,151.79</b>
Salt Brine (Gal)	600	45600
Salt Brine Cost	\$42.00	\$4,560.00
Sand (tons)		67.82
Sand Cost		\$857.92
Ice Melt Cost		
<b>Grand Total Cost</b>	<b>\$44,992.84</b>	<b>\$26,569.71</b>

### Sidewalk Maint. 2009/2010      2010/2011

Labor Hours		
Overtime Hours		
Total Labor Cost		
Material Cost		
Equipment Cost		
Mileage		
<b>Total Cost</b>	<b>\$0.00</b>	<b>\$0.00</b>

	2009/2010	2010/2011
<b>Snow</b>		
Inches	44.5	19
Ice		
Inches	0.1	0.1

### Totals All Snow / Ice 2009/2010      2010/2011

Labor Hours	1,617.50	867.25
Overtime Hours	1,114.50	472.60
Total Labor Cost	\$60,854.51	\$29,833.67
Material Cost	\$70,446.09	\$24,378.84
Equipment Cost	\$102,813.50	\$54,911.00
Material Handling Cost	\$0.00	\$0.00
Loads Hauled	706.00	344.00
<b>Total Cost</b>	<b>\$234,114.10</b>	<b>\$109,123.51</b>