

KIRKSVILLE CITY COUNCIL **NEWSLETTER . . .**

Mari E. Macomber, City Manager
November 29, 2012

SUBJECTS:

**DATES TO REMEMBER
CLOSED SESSION
CITY COUNCIL FILING
STATE OF THE CITY
CITIZEN COMMENT
CITY BUDGET
CIVIL WAR MILITARY MARKERS
KDIC MEETING
DOWNTOWN HOURS
VEOLIA NOW ADVANCED DISPOSAL
BRASHEAR PLAYGROUND UPDATE
HUMANE SOCIETY
KIWANIS PARADE
AREA SCENE
HIDDEN TREASURES
CITY HALL ENTRANCE
BICYCLES/CYCLISTS**

DATES TO REMEMBER

12/03 – City Council Study Session and Council Meeting
12/04 – ATC @ noon
12/04 – Governmental Affairs @7:30 am Chamber Office
12/04 – KDIC Meeting @ 5:30 pm at Pickell Abstract
12/05 – KHPC @ 4 pm
12/07 & 8 – Missouri Livestock Symposium
12/08 – Breakfast with Santa at Pickler's Famous
12/12 – Planning and Zoning @ 7 pm
12/13 – Adopt-a- Child at Fairgrounds starts promptly at 6 pm
12/19 – Council Candidate Filing begins at 8 am
12/20 – Chamber Business After Hours @ 5 pm at Alliant Bank
12/24 & 25 – Christmas Eve and Christmas Day - City Offices Closed
01/01 – New Years Day - City Offices Closed

CLOSED SESSION

As a reminder, the City Council will go into closed session following the Council meeting on Monday evening.

CITY COUNCIL FILING

The Council terms of Richard Detweiler and Tony Fajkus will expire in April, 2013. Filing for the two positions will open at 8:00 a.m. on Tuesday, December 11, 2012, in

the City Clerk's office. The filing period will close at 5:00 p.m. on Tuesday, January 15, 2013. The General Election will be held on Tuesday, April 2.

STATE OF THE CITY

The Governmental Affairs Committee has asked the City to prepare for the State of the City. The date for our event will be Monday, January 7 at 4:30 pm. It will be held in lieu of a Study Session that evening. Over the last few years we have had department managers make the presentations. Prior to that, the Mayor made the presentation using a slide show. Since our focus has been on performance measures, the theme we are working on is "The City by the Numbers". The presentation will take anywhere from 30 minutes to an hour. The Council should discuss your participation and the best manner of presentation.

CITIZEN COMMENT

On Monday evening, Mr. Elliot Asbed, 815 S Davis Street may be in attendance at the Council meeting on Monday. He would like to start an initiative to repeal the current ordinance that places restrictions on certain animals. His email to the Mayor references "the current ban on Pit Bull dog breed in the Kirksville area." The City's ordinance is not a ban. Pit Bulls are allowed within the city limits but there are requirements placed upon the owner. The specific section of the current ordinance that relates to restricted animals is included with this Newsletter.

CITY BUDGET

On Monday evening, you will hold a public hearing to entertain any comments and input regarding the proposed 2013 Budget for the City of Kirksville. The Budget for this coming year is for \$33,269,000. This is up from the current year's budget. One third of the budget is for capital projects including the water meter replacement and engineering design for the wastewater plant. Personnel costs are up due to increases in benefits and a cost of living adjustment of 2.5 percent. As the Council discussed, the employees had not received a cost of living adjustment since 2009. The City Council has delayed any decisions on utility rates until after making a decision about the future plans for the wastewater treatment plant and an evaluation of the rate structure is completed. There were a lot things covered during the budget meeting and most of the changes were highlighted by staff. Council also took time to ask questions regarding both budgetary numbers and overall performance measures and goals. After going through the budget again to insure that all details were included, there were just a few things that I wanted to note: city staff has prepared a request for proposal for liability insurance and is accepting them until early January. Our renewal with MIRMA is at the end of January. We have not taken bids on this coverage for at least 25 years as we have been members of MIRMA. With the response received from MIRMA concerning the damage to the city-owned industrial building, we felt it was an opportunity to find out what other markets were available and at what costs. The Council will be asked to discuss this and may choose to select a different provider; the available funds in the Capital Improvement Sales Tax Fund are limited and with the capital equipment needs there are no funds being transferred from the CIP into the Utility Fund for stormwater purposes. With the projects that are still remaining it will take a significant amount of

funds to complete these even with a \$50,000 contribution from the CIP; the method of calculating the management fee in the Utility Fund was modified a couple of years ago but it was not sufficient to cover the actual costs. A franchise fee or payment in lieu of taxes was established and is reflected in the budget at a lower rate than previously assessed; the Customer Service Representative positions still reflect 3 full-time employees, once we have a better feel for the meter replacement process, this number will go down to 2 full-time employees, and will take place sometime this fiscal year.

CIVIL WAR MILITARY MARKERS

City Clerk Vickie Brumbaugh reports that four Civil War military markers have been received just recently to replace illegible military stones in the Forest-Llewellyn Cemetery. The process for application for these markers requires searching for records to prove that these veterans did serve in the Civil War, even though there are markers. The owner of a Cemetery is allowed by law to only apply for replacement of military markers, but not for new markers. If the marker is considered a family marker, then only family members can apply. The local veterans association has volunteered to set the stones in the spring.

KDIC MEETING

The KDIC will have its first official meeting after deciding to continue as an organization at its annual meeting. The KDIC will discuss their Mission and Goals; Membership and a proposed meeting with the Presidents of both AT Still University and Truman State University.

DOWNTOWN HOURS

The downtown merchants have provided us with their holiday shopping hours. The merchants are encouraged to stay open on Sundays from now until December 23 and later hours until December 22.

Sundays – November 25, December 2, 9, 16 and 23 open hours 1 – 4 pm

Mondays – Saturday – December 10 – 22 - open hours 10 am – 7 pm

Monday December 24 – hours 10 am – 4 pm

VEOLIA NOW ADVANCED DISPOSAL

Veolia has combined with Advanced Disposal. According to their press release, Advanced Disposal is a full service solid waste and recycling services company with collection, transfer, recycling and disposal operations based in twenty states including: Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Vermont, Wisconsin and the Commonwealth of the Bahamas. A notice was given to the City on November 21.

BRASHEAR PLAYGROUND UPDATE

One of the three individuals who were arrested for allegedly burning down the playground structure pled guilty and will now be on probation. This individual will be on probation for three years. We have since had the structure replaced and hope to be able to recoup the funds. See article from the Kirksville Daily Express.

HUMANE SOCIETY

The City received a preliminary request from the Adair County Humane Society regarding financial support for some work that will need to be done before the Humane Society's next inspection. We are trying to get clarification as to what is needed and the cost of the improvements, along with how much money the Humane Society may actually need.

KIWANIS PARADE

Though the Council will be considering their request on Monday evening, the Kiwanis appear to be excited about their proposed Kiwanis Club Christmas Parade. Included is the poster that they created. It looks to be a fun event and will take place, contingent upon City Council approval, on Saturday, December 22 at 4:30 pm in downtown Kirksville.

AREA SCENE

The fourth Tuesday of the month was scheduled with the 1450 KIRX as an opportunity for the Council to share information with the citizens. Though the idea is a good one, the time has not always worked. If the Council is agreeable, John McConnell, who hosts the program, is willing to keep this slot as a general city slot and allow us to use it to communicate to the public on any city issue, meaning that we can send anyone who represents the City on that fourth Tuesday of the month.

HIDDEN TREASURES

Sherry Stacey, owner of Hidden Treasures, plans to display miniature horses in her store for the holiday season. The animals are family pets and will be held in a fenced area in the front window of her storefront. She plans to have the animals on display from Dec. 12-Dec. 22. She will ensure that the animals have all the needed shots/vaccinations and are licensed with the City. Ms. Stacey will need to walk the animals outside several times each day for exercise but will ensure that they are always on a lead rope and will remove any manure from the sidewalk/lawn. Ms. Stacey may offer shoppers an opportunity to pet the horses or take a picture but only as staff time allows, so that she can supervise the horses during any interactions with shoppers.

CITY HALL ENTRANCE

We have had a couple of people miss the last step down to the sidewalk outside of City Hall. The concrete is painted yellow to identify that there is a step. We are exploring replacing that area of City Hall with a sloped entryway. It does not appear that the slope is sufficient enough to allow for the elimination of the second step into City Hall. This is for information only.

BICYCLES/CYCLISTS

In the last few Newsletters, there has been information on an educational campaign that we were implementing. One of the objectives was to eliminate cyclist from riding on the sidewalks within the downtown area. It is against City Ordinance and is unsafe for the pedestrians who are entering and exiting the businesses. We have received some concern from at least one cyclist that our "No Bikes" signs are offensive. At this point,

we have spent city funds to paint these signs on the sidewalks and it would cost us even more to remove the signs and post different signs. Our focus is on removing the bikes from the sidewalks. Our approach was no different than other signs that restrict.

Attachments

- Airline Usage – 10 months
- Fuel Usage – 11 months
- Restricted Animals
- Brashear Park Article
- Kiwanis Parade
- NCMRWC Board Meeting

Enclosure

- October Revenues vs. Expenditures

Kirksville Regional Airport

Comparison for Month - last 6 years

Month	Scheduled Flights	Actual Flights	Percentage Flights Kept	Deplaned Passengers	Enplaned Passengers	Number of Passengers per Day	Passengers Per Flight
Oct-07	108	106	98.15%	161	172	10.74	2.52
Oct-08	100	100	100.00%	89	76	5.32	1.65
Oct-09	96	96	100.00%	120	122	7.81	2.52
Oct-10	184	183	99.46%	338	367	22.74	3.85
Oct-11	186	186	100.00%	493	542	33.39	5.56
Oct-12	186	182	97.85%	527	521	33.81	5.76
Average	112	112	82.93%	200	213	13.33	2.68

CAPE AIR SERVICE - 2012

Month	Scheduled Flights	Actual Flights	Percentage Flights Kept	Deplaned Passengers	Enplaned Passengers	Number of Passengers per Day	Passengers Per Flight
Jan-12	186	186	100.00%	425	356	26.03	4.20
Feb-12	174	166	95.40%	352	388	23.87	4.46
Mar-12	186	186	100.00%	466	500	32.20	5.19
Apr-12	180	178	98.89%	450	450	29.03	5.06
May-12	186	186	100.00%	413	550	31.06	5.18
Jun-12	180	179	99.44%	466	458	33.00	5.16
Jul-12	174	174	100.00%	408	463	31.11	5.01
Aug-12	181	175	96.69%	501	515	36.29	5.81
Sep-12	174	165	94.83%	449	469	32.79	5.56
Oct-12	186	182	97.85%	527	521	37.43	5.76
Nov-12							
Dec-12							
Average	181	178	98.31%	446	467	31.28	5.14

October 2012 Comparison to October 2007 through 2011

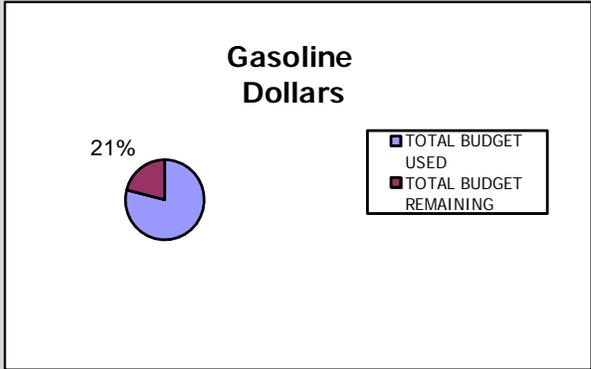
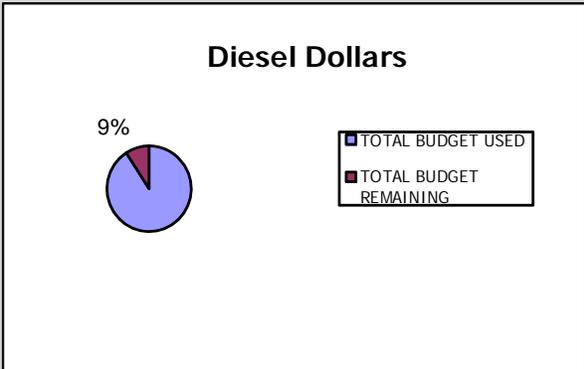
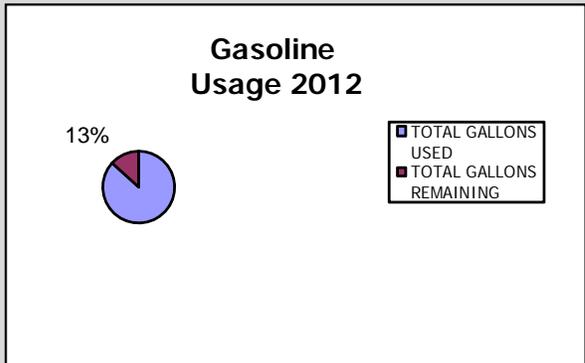
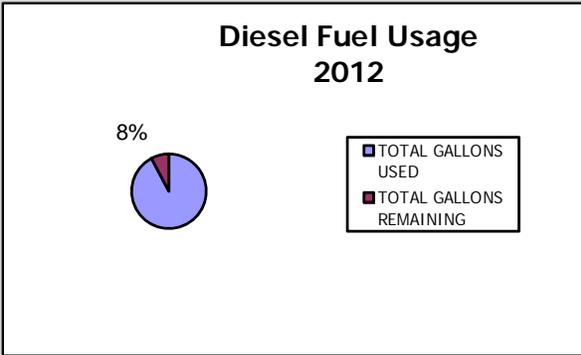
Month	Scheduled Flights	Actual Flights	Percentage Flights Kept	Deplaned Passengers	Enplaned Passengers	Number of Passengers per Day	Passengers Per Flight
Current	186	182	97.85%	527	521	33.81	5.76
Past	135	134	99.55%	240	256	16.00	3.70

Note: Cape Air took over operations on September 17, 2010.

FUEL USAGE JANUARY - NOVEMBER 2012

TOTAL GALLONS BUDGETED	TOTAL GALLONS USED	TOTAL GALLONS REMAINING
35,955	33,157	2,798
TOTAL DOLLARS BUDGETED	TOTAL BUDGET USED	TOTAL BUDGET REMAINING
\$125,841	\$114,500	\$11,341

TOTAL GALLONS BUDGETED	TOTAL GALLONS USED	TOTAL GALLONS REMAINING
44,997	39,019	5,978
TOTAL DOLLARS BUDGETED	TOTAL BUDGET USED	TOTAL BUDGET REMAINING
\$146,242	\$115,592	\$30,650



b)

Pit bull dogs residing in the city on or after April 1, 2011, may only be kept by their owners within the city, subject to the following standards:

(1)

Registration. Pit bull dogs currently residing in the city must be registered with the city by the owner(s) within sixty (60) days of April 1, 2011. Annual registration of any pit bull dog is required. Any pit bull dog four (4) months of age or older must be registered.

(2)

Leash. No person shall permit a pit bull dog to go outside of a securely enclosed fenced yard unless such dog is securely leashed with a leash no longer than four (4) feet in length. No person shall permit a pit bull dog to be kept on a chain, rope or other type of leash outside its securely enclosed fenced yard unless a person is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, etc.

(3)

Confinement outdoors. All pit bull dogs shall be confined in a securely enclosed fenced yard, except when leashed as provided in [section 5-20 \(b\) \(2\)](#) of this section. Such fence must have secure sides and be at least sixty (60) inches in height. All gates in fenced yards used to confine pit bull dogs must be locked with a key, or combination lock, when such animals are within the fenced area. All fencing erected to house pit bull dogs must comply with all zoning and building regulations of the city.

(4)

Confinement indoors. No pit bull dog may be kept on a porch, patio, or in any part of a house or structure that would allow the dog to exit such building on its own volition. In addition, no such animal may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacle preventing the dog from exiting the structure.

(5)

Insurance. All owners, keepers, or harborers of pit bull dogs must provide proof to the city of public liability insurance in a single incident amount of one hundred thousand dollars (\$100,000.00) for bodily injury to or death of any person or for damage to property owned by any person, which may result from the ownership, keeping, or maintenance of such animal. Such insurance policy shall provide that no cancellation of the policy will be made unless ten (10) days' written notice is first given to the city. Any person found to be the owner, keeper, or harbinger of a pit bull dog that does not have insurance on the same, and is found guilty in municipal court or any other court of this violation, must permanently remove the animal from the city.

(6)

Certification. Owners of pit bull dogs, whose dogs are registered as required in [section 5-20 \(b\)\(1\)](#) of this section, who can show proof of current certification for their pit bull dogs from the American Kennel Club Canine Good Citizen (AKC CGC) Program to the Kirksville Police Department will be exempted for so long as the AKC CGC Certification remains valid from [5-20\(b\)\(3\)](#) and [5-20\(b\)\(5\)](#).

(7)

Irrefutable presumptions. There shall be an irrefutable presumption that any dog registered with the city as a pit bull dog, or any of those breeds that are restricted under the definition of "pit bull dog", is in fact a dog subject to the requirements of this section.

KIRKSVILLE

Arson suspect pleads guilty, gets probation

One of the three suspected arsonists accused of torching the Brashear Park playground this summer pleaded guilty to two counts of felony arson and was given a suspended imposition of her sentence and three years probation.

Athena Wolter, 20, of Knox County, entered a guilty plea earlier this month on two of the original five counts of felony arson. Wolter was arrested, along with two other Knox County teens, during a traffic stop in Kirksville after police were dispatched to at least five fires set in the city, including at the Brashear Park playground in June.

Police allegedly found evidence the trio had set

the fires as well as alcohol in Wolter's vehicle and charged her, and Jaston Boone and Shelby Snelling, also of Knox County, with five counts of felony arson.

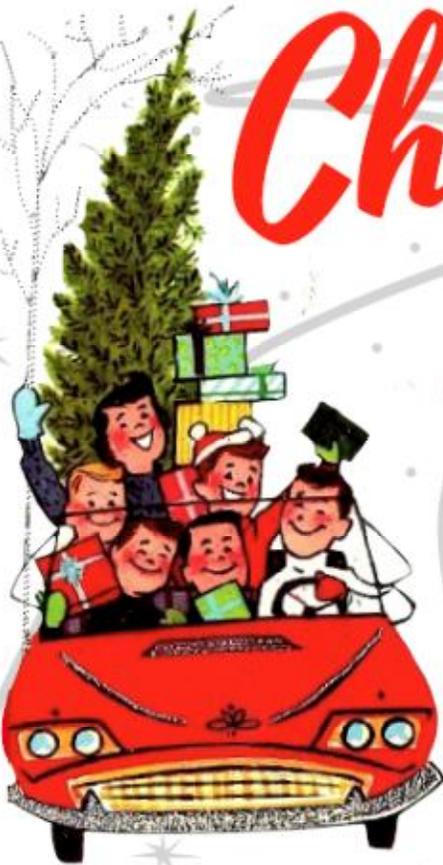
Wolter, who was represented by Kirksville attorney Jay Benson, was given the suspended imposition of her sentence by Adair County Circuit Judge Russell Steele. If Wolter completes her three-year probation with no issues, the sentencing will not appear on her record.

Wolter's alleged accomplices still await their day in court, with a trial setting held most recently for Boone earlier this week. Snelling also has a trial setting scheduled for Dec. 3.

Celebrate the Season at the...

FIRST ANNUAL KIRKSVILLE KIWANIS CLUB

Christmas Parade



**SATURDAY
DEC. 22**

AT 4:30 PM

along **FRANKLIN ST.
IN DOWNTOWN KIRKSVILLE**

*Merry
Christmas!*

**FROM THE
KIRKSVILLE KIWANIS CLUB**



MEMORANDUM

TO: RECORD

FROM: John R. Buckwalter, Public Works Director

DATE: November 16, 2012

SUBJECT: NCMRWC Board Meeting-November 16, 2012

I attended the regularly scheduled meeting of the NCMRWC Board of Directors, held at Milan, at 6:30 pm November 12, 2012.

The minutes and financial reports were approved.

Mike Ward presented the operations report. Elmwood Lake is 63 inches down. The old lake is 12 feet down

Brad Scott facilitated an open hearing concluding the published public comment period on a proposed Brownfield Grant. The demolition of structures in the area to be flooded or impacted by the lake could be eligible. Working with the consultant firm TeraTec the Commission is going after \$200-300 thousand in Brownfield grants. The public comment period is required. There were no members of the public present, and no comments presented. The public hearing was closed, and meeting resumed.

Mr. Scott then presented the General Manager's report. He had visited with TriState Engineering and Olsson and Associates on drought mitigation issues and process. They are scheduling a site visit with USACE, MoDNR, and SCS as well as others. They are seeking CDBG funds. They have requested funds for a supplemental environmental impact statement thru NRCS. He is meeting with NRCS and the Green Hill RPC on budget issues. He is meeting with DNR on funding options, and deferred further discussion on that topic to the closed session.

The Board discussed Milan's request for waiver of excess water use charges. With the new master meter in place, water use measurement was questioned. The revised policy on excess use was discussed, and it was determined that Milan did not owe excess fees at this time.

The first draft of the 2013 budget was distributed. It was provided to the board for their review, and must be approved in December. Brad, the board treasurer, and the Milan City Manager, will meet with the Board's auditor (John Gillum) to resolve how to represent both project funds and operating funds in the budget.

The manager still plans to complete acquisition of all needed land by the end of the next fiscal year. Tree clearing requirements were briefly discussed.

The meeting adjourned to a closed session at 7:00 pm. I returned to Kirksville and did not wait until the closed session concluded.