

KIRKSVILLE CITY COUNCIL

NEWSLETTER . . .

Mari E. Macomber, City Manager *MEM*

Copies to: City Attorney
Media

January 30, 2009

SUBJECTS:

DATES TO REMEMBER
MML CONFERENCE
STUDY SESSION LOCATION
STUDY SESSION / COUNCIL DATE CHANGE
ECONOMIC STIMULUS PACKAGE
WATERSHED COMMISSION CHANGE
HISTORIC PRESERVATION ORDINANCE
HISTORIC PRESERVATION GRANT
DREAM UPDATE
GIS SUMMIT
EEO POLICY
LAPEL PINS
KIRKSVILLE DAY AT THE CAPITOL
MoDOT MEETING
UNEXPECTED REPAIRS

DATES TO REMEMBER

2/2 – City Council Study Session @ 12:0 p.m.
2/2 – City Council Meeting @ 5:30 p.m.
2/3 – Governmental Affairs @ 7:30 a.m.
2/3 – LPRC @ 12:00 p.m.
2/3 – KREDI Annual Meeting at Shrine Club @ 5:30 p.m.
2/4 – Rotary Check Presentation @ 12:00 p.m. at Shrine Club
2/4 – Historic Preservation Commission @ 4:00 p.m.
2/10 – Kirksville Day at the Capitol
2/16 – President's Day – City Hall Closed

MML CONFERENCE

The City Manager will be attending the Missouri Municipal League legislative session on February 18.

STUDY SESSION LOCATION

The Study Session on Monday will be at the Bruce Normile Juvenile Justice Center on South Boundary.

STUDY SESSION / COUNCIL DATE CHANGE

The City recognizes President's Day as a City holiday. The date is the third Monday of the month, February 19. Therefore, as with last month, the Study Session and Council Meeting will be held the following Monday, February 23.

ECONOMIC STIMULUS PACKAGE

Gary Marble with Congressman Luektemeyer's office advised the City this week to make contact with state agency representatives who administer the various state grant and funding programs to either get on a list or ask how the city can participate in submitting applications for consideration should the stimulus package go through. From what he has learned, the majority of funds will be delivered to the states for use in existing programs. Previously, he suggested that we gather a small group of community individuals and identify priority projects for possible funding. Included in your packet is an update on the stimulus package sent out to airports.

WATERSHED COMMISSION CHANGE

The Watershed Management Commission was established several years ago with appointees representing both citizens and property owners within the watersheds. Commission members discussed the need to establish appointment terms, so that appointed members could decide after serving several years, if they would like to be reappointed, or to give the Council an opportunity to give others the opportunity to serve. This policy change will be made and presented to the Council at a future Council meeting.

HISTORIC PRESERVATION ORDINANCE

The proposed ordinance was presented at a public hearing of the Planning and Zoning Commission on January 14, 2009. The members of the P&Z had many questions. Questions were asked of the procedures for voting on a Historic District. P&Z members felt that the procedures for voting and for determining who could vote were not clear. A motion was made to approve the ordinance but the motion died for lack of a second. A second motion was made to table the ordinance until the February 11 Planning and Zoning Commission meeting. This motion was seconded and approved. The Commission asked staff to provide more detail on voting procedures. There were also comments and questions about acquiring insurance for historic properties.

Specific questions were:

1. Who gets to vote in the case of a husband and wife who own a property jointly, and can't agree on what to vote for? Who gets to place the vote?
2. In the case of an LLC or other Corporation, who is allowed to place the vote?
3. Does the City have jurisdiction over the state (for example: Truman State) to enforce its ordinance regarding historic preservation of a building or property?
4. Does the City have jurisdiction over the county to enforce its ordinance regarding historic preservation of a building or property?

Changes to address the questions have been made and will be presented to the Historic Preservation Commission before going to the Planning and Zoning Commission on the 11th.

HISTORIC PRESERVATION GRANT

We received notification that our application for grant funds from the Missouri Department of Economic Development to complete an historic assessment was approved for \$12,000. This grant award is part of the DREAM initiative. More information will follow.

DREAM UPDATE

We received a summary of the work that has been done through the DREAM initiative since we began the process. This is included in your packet. Staff will be meeting with Patrick Hanlon in the near future to discuss the next steps to complete the DREAM process.

GIS SUMMIT

The GIS Consortium is hosting a Rural GIS Summit May 20 & 21, 2009 in Kirksville. The Rural GIS Summit is a special event for small and rural communities who are using GIS or are considering using GIS across Missouri, and in close adjacent areas. The Summit will not be focused on the technical aspect of GIS. There will not be any technical training as part of the agenda. Instead, this event is meant to address some of the most significant administrative, policy, business and operational issues associated with GIS in small communities. The summit is intended for elected officials, administrators, rural utility employees, GIS users, non-users, casual users, academics, private sector individuals faced with geospatial issues in a rural community.

EEO POLICY

In 2007, the City modified its Equal Employment Opportunity policy by adding the words "sexual orientation". Modifications were made and included in the City's Administrative Policy Manual and then presented as a change in the City's employee manual which is approved by the City Council. This policy change was made as a result of the interpretation of discrimination from the Office of Personnel Management in regard to employment. This agency has interpreted the prohibition of discrimination based on conduct to include discrimination based on sexual orientation. Our current policy in the employee Handbook and the Administrative Policy Manual address "city employee rights."

As an equal employment opportunity employer, the City of Kirksville does not discriminate in its employment decisions on the basis of race, religion, color, national origin, gender, sexual orientation, age, disability, or on any other basis that would be in violation of any applicable federal, state, or local law. Furthermore, the City of Kirksville will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship.

The City also enters into agreements with state and federal agencies. As part of those agreements we are required to include the standard federal equal employment opportunity construction contraction specifications, which address minority employment, and minority goals for the contract work force. The following is the standard language presented to us from these agencies. Nondiscrimination: The City shall not discriminate on grounds of the race, color, religion, creed, sex, disability, national origin, age or ancestry of any individual in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The City shall not participate either directly or indirectly in the discrimination prohibited by 49 C.F.R. §21.5, including employment practices. According to the Mo Department of Labor and Industrial Relations web site, "discrimination based on sexual

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orientation is not covered under the Missouri Human Rights Act. ... Federal law does not cover discrimination based upon sexual orientation either.” Regardless, a decision to not discriminate on the basis of sexual orientation was made part of the City’s Administrative Policy Manual and Employee Handbook. The statement found in these two documents is the same statement that we place on our meeting agendas. There is nothing that prohibits the City from placing this language in our documents, but there would be no state or federal recourse.

LAPEL PINS

Council member Detweiler asked about the possibility of having items that could be given out or worn by citizens and others to recognize our community. The City has lapel pins that we give out, but have a limited supply. We had checked on pricing for lapel pins, including pricing from local vendors. The price when we checked several months ago was \$495 for 500 pins (99 cents each) and \$890 for 1000 pins (89 cents each). The cost of medallions, these are the seals that we place on Proclamations and special recognition documents given to groups and citizens will cost \$635 for 100 medallions and \$1,066 for 200 medallions. We can get these cheaper using a thinner plate. The savings would be \$150 and to \$300 depending upon quantity. The Chamber’s Tourism office intends to use some of their funding to purchase items to be given to visitors to the community.

KIRKSVILLE DAY AT THE CAPITOL

Martha, Jill and Richard will be attending the Kirksville Day at the Capitol on Tuesday, February 10. The event is an opportunity for the City and other members of the community meet with state legislators to discuss issues of importance to Kirksville.

MoDOT MEETING

City staff met with Preston Kramer this past week for an update on the Alternate Route project. MoDOT is interested in finalizing plans for the northern portion of the project and have discussed the naming conventions to be used for the Alternate Route and Highway 63 Baltimore. MoDOT will rename the alternate route Highway 63 and will call Baltimore both Baltimore and Business 63. The project will eliminate a portion of Lincoln Street on the north end. We discussed the possibility of MoDOT constructing a roadway that connects that northern portion of Lincoln to Route P. This would open up an area for future development. The City would then take over the maintenance on this street. The City needs to come up with a name for this road currently labeled as east outer road on the plans. We are discussing options.

UNEXPECTED REPAIRS

There has been a terrible sewer smell at the Police Department this past week. Individuals with the department state that they noticed a smell on and off for the past few months. We have identified the problem. A sewer grinder pump that allows the sewer system to work within this building has failed. We also found some air leaks. Because of the nature of the problem, we need to repair it as soon as possible, and need to coordinate the work with the department to minimize disruptions. The building has two pumps, they serve as backups to each other. However, we can not wait for the second pump to fail, as we will have no sewer service. The estimated cost will be around \$6,000. We have also just learned that the airport gas pumps have been receiving electricity from an electric service taken from a private

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hangar. Estimates to provide electrical service to the pumps is \$3,700. We are still evaluating this issue.

Attachments

- February Calendar
- Study Session Notice
- Stimulus Package Announcement to Airports
- Historic Preservation Ordinance Changes
- Grant Award from DED
- DREAM Summary
- DNR Response to 303D
- Ribbon Cutting Event on February 10

FEBRUARY 2009

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 NOON COUNCIL TOUR @ JUVENILE CTR & STUDY SESSION	2 5:30 PM COUNCIL	3 7:30 am Gov Affairs NOON LPRC 4 pm KREDI 5:30 pm KDIC 6 pm United Way Mtg @ TSU	4 8 am Tourism 4 pm Historic Preservation	5	6 Ag Show @ Fair Grounds 9 am—4 pm
8	9	10 DAY AT THE CAPITOL Jefferson City	11 7 pm P & Z	12	13	14 HAPPY VALENTINE'S DAY
15	16 PRESIDENT'S DAY HOLIDAY CITY OFFICES CLOSED	17	18	19	20 7:30 am STATE OF THE COUNTY @ Annex	21
22	23 NOON COUNCIL STUDY SESSION 5:30 PM COUNCIL	24 9:30 am COUNCIL ON RADIO	25	26 5:30 pm Watershed Management	27	28

REPOSTED: January 30, 2009 – 9:30 a.m.

**NOTICE OF
NOON TOUR
And STUDY SESSION
- OPEN MEETING –
-TENTATIVE -**

NOTICE IS HEREBY GIVEN THAT THE KIRKSVILLE CITY COUNCIL WILL TOUR THE BRUCE NORMILE JUVENILE JUSTICE CENTER AT 12:00 NOON ON MONDAY, FEBRUARY 2, 2009, 1400 SOUTH BOUNDARY STREET, KIRKSVILLE, MISSOURI.

THIS IS SCHEDULED AT THE TIME A STUDY SESSION WOULD REGULARLY BE HELD.

TENTATIVE AGENDA (FOLLOWING THE TOUR):

- Discuss available E-One Fire Truck

FOR FURTHER INFORMATION, CONTACT:
City Hall at 627-1225

Equal Opportunity Statement

The City of Kirksville does not discriminate on the basis of race, color, national origin, sex, religion, age or disability status in the provision of services.

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“Legislative Update”

Economic Stimulus Package Passes In House – Heads to Senate



On Wednesday, January 28, the House passed the economic stimulus package – H.R. 1, The American Recovery and Reinvestment Act of 2009. The Bill now heads to the Senate for consideration. On the Senate side, the Senate Appropriations Committee passed S.336, The American Investment and Recovery Plan.

Of interest to small communities is the funding included in both House and Senate legislation for the Airport Improvement Program (AIP).

The House Act provides for an additional \$3 billion in funding for AIP for discretionary projects. The Act states that funds shall not be subject to apportionment formulas, special apportionment categories, or minimum percentages. The House also passed by voice an amendment to the Act sponsored by Congressman James Oberstar (D-MN-8) that requires grantees make use of at least 50% of the funds awarded within 120 days of grant award.

The Senate’s version of the stimulus package includes \$1.1 billion in discretionary grants for airport infrastructure which includes investment in the purchase of firefighting and safety equipment needed to meet airport certification requirements. The Federal government’s share of these discretionary grants is 100%. The package also includes \$200 billion for FAA facilities and equipment which covers FAA power systems, air traffic control centers, air traffic control towers, and airport lighting, navigation and landing equipment.

The full Senate is expected to begin discussion of their version next week. Provided that the Senate approves their legislation, members from both the House and Senate will resolve any differences between the House and Senate versions. This compromise legislation will need to be voted on again by the House and Senate before heading to President Obama for his signature or veto.

b. Nomination of Historic Districts. Nomination of a Historic District shall be made to the Kirksville Historic Preservation Commission on a form prepared by it and may be submitted by any one of the owners of any property or structures within the boundaries of the proposed Historic District. Nominations shall be turned in to the City Clerk, who will within fourteen (14) days of receipt send to the Codes & Planning Director. The Codes & Planning Director will determine the ownership of all properties and sites within the boundaries of the proposed Historic District, **based on the current Adair County tax map parcels and listed ownership**. Certified mailings will be sent out to all owners of the proposed Historic District explaining the proposed nomination that has been received **and giving notice of the A** date, time, and place for a vote of the Property Owners on the proposed Historic District ~~will be set~~. When the vote has taken place and a tally of the votes has been completed, a majority of 66% of the designated lots ~~allowed to vote~~ **voting** must vote in favor of the nomination before it can move forward. If approved, the nomination of the Historic District will be added to the next available agenda of the KHPC, after any required posting for a public meeting. Forms and criteria for nomination will be available at the Office of the City Clerk.

The rules and procedures for Voting on a Historic District are as follows:

- 1. Each Adair County tax map parcel in the proposed historic district will be allowed one vote, regardless of the number of owners of the lot.**
- 2. If a tax map parcel has more than one owner, all such living owners must unanimously cast their vote and sign the voting ballot in order for it to be counted.**
- 3. If the tax map parcel is recorded as being owned by a Trust, a Limited Liability Corporation (LLC), or by a Corporation, the voting ballot will be mailed to the Trustee, President, Chief Executive Officer (CEO), Chief Operating Officer (COO), or Secretary of the Trust, Corporation, or LLC. The Trustee, President, CEO, or COO will have the authority to vote for the Trust, Corporation, or LLC with only their one signature, indicating their authorized title or status as Trustee.**
- 4. The paper voting ballot will be sent by certified mailings to the address of record of affected property owners.**
- 5. At least thirty (30) days time will be allowed after mailing, for receipt of the letters, for the owners to contact others for signatures, and for the ballots to be received by the City Clerk. All votes must be in the possession of the City Clerk by the time and date indicated on the ballot for the ballot to be counted.**
- 6. Votes may be submitted to the City Clerk any time after receipt, until the stated time and date when all votes are required to be in possession of the City Clerk.**
- 7. The Kirksville City Clerk and the Codes & Planning Director will be jointly responsible for counting the votes and for certifying the results to the Kirksville Historic Preservation Commission. The counting of the votes will be open to the public.**
- 8. The City Clerk and Codes & Planning Director may delay declaring the results of the vote for clarification of specific ballot signatures, titles, handwriting issues, etc., to ensure those ballots are being counted as**

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intended by the person(s) voting.

9. For a vote to successfully pass the nomination on to the Kirksville Historic Preservation Commission for consideration as a Historic District, a minimum of 66% of votes being cast in favor of the measure is necessary. The results of the voting will be determined only by the lots/property owners who actually cast their votes.
10. For a lot with multiple owners, all living co-owners must unanimously vote and sign the single ballot or the vote will not count.
11. For any property in a proposed Historic District that is owned by the City, the Mayor must sign the voting ballot as authorized by the City Council.
12. For any property in a proposed Historic District that is owned by the local school district, the school board President must sign the voting ballot as authorized by the School Board.
13. For any property in a proposed Historic District that is owned by Adair County, the Presiding Commissioner must sign the voting ballot as authorized by the County Commission.
14. For any property in a proposed Historic District that is owned by Truman State University, the President of the University must sign the voting ballot as authorized by its Board.

Jeremiah W. (Jay) Nixon
Governor



Linda M. Martinez
Acting Director

January 20, 2009

JAN 20 2009

The Honorable Martha Rowe
Mayor, City of Kirksville
201 S. Franklin Street
Kirksville, Missouri 63501

Dear Mayor Rowe:

I am pleased to inform you that your application for a downtown historic resource survey has been approved by the Community Development Block Grant Program in the amount of \$12,000.

We are looking forward to initiating the start of your project and providing the necessary assistance toward its successful completion. We wish you continued success toward improving and enhancing your community.

If you have any questions, please contact Andy Papen, Compliance Manager, at (573) 751-3600.

Very truly yours,

A handwritten signature in blue ink that reads "Linda M. Martinez". The signature is written in a cursive style and is positioned above the printed name and title.

Linda M. Martinez
Acting Director

LM:LR

301 W. High St. • P.O. Box 118 • Jefferson City, MO 65102
www.missouridevelopment.org • (573) 522-4173 • Fax (573) 522-5033

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Organizational Structure – The reviews are completed and a final report is underway. It will be finalized and delivered in the next two weeks.

Land Use, Building and Infrastructure Survey – This task is of particular importance as it will provide the foundation for future work. I believe, based on our review of the maps last summer, the City is working on providing some updates to the mapping; let me know how that is going.

Community Surveying – Focus Group and Telephone Survey Reports are completed, raw data will undergo further analysis as we move forward. The visitor surveys will be undergoing analysis, the City completed 157 surveys and are the second highest total of the DREAM communities which is great work! We anticipate the reports being delivered by the end of February.

Retail Market Analysis – Demographic data has been sent from the state and we are currently working on the gap analysis. I anticipate having a draft ready in February. Also, we are working with Missouri LocationOne to develop a downtown property listing. LocationOne can put the listing search engine on your website, blended into the design and people can search for available real estate property. We are using this specifically for downtowns, but this service can also work for the whole City. If you are interested in setting up a downtown account with LocationOne email your request to Lisa.Franklin@kcpl.com. We can then immediately upload all the available downtown properties from the mapping, demographics from the retail profile, etc. Please feel free to contact me with any questions about this.

Housing Market Analysis – The first draft of this report should be ready any day now. I have requested an update from MHDC about this task, the schedule I have indicates the research is complete and the report should be ready.

Financial Assistance Review – The initial draft is prepared and is going through our internal review. However, I would like to include some information about Justin's, and any other significant, projects to better assess their potential impact on the Downtown Financial Review. If possible, I would like to set up a conference call with you next week to identify potential projects for inclusion. I am available Feb. 4th, 5th, and 6th, please let me know if any of those dates will work for you.

Building & Streetscape Revitalization Program – Canopies Removal – The revised draft renderings of the building improvements are attached for your review. We have also prepared draft cost estimates, but I plan on reviewing these with Justin or his GC to make sure the costs are as accurate as possible before distributing. I would like to arrange a meeting with our canopy group to present the renderings, cost estimates, argument for removal, and potential rehabilitation funding mechanisms. I am available to travel to Kirksville on February 9th, 10th, 11th, 16th, 17th, 18th for an evening meeting. An additional asset in this ongoing effort is the development of a façade rehabilitation revolving loan program developed by MDFB. MDFB has recently created an opportunity for funds available to DREAM communities for use in Façade Rehabilitation RLFs. It does have some local match requirements, but will assist greatly in seeding an RLF program. We can set up a conference call with Kim Martin to get more details on the program, also you can view the application on MDFB's website, it is a version of the MIDOC loan. <http://www.mdfb.org/Programs/MIDOC.aspx> It requires local loan guidelines, but we have prepared some for Washington that should provide a template for use in Kirksville. We can discuss this on our Financial Assistance Conference call, or set up a separate call with Kim.

Marketing Plan – We have engaged Fleishman Hillard and can conduct a review of marketing and planning activities in order to decide where to best utilize their talents. Since we have limited funds, it is important to focus their efforts where they can be most effective. As of right now, some potential areas I see are; canopy removal (although we do have a handle on that), potential CID, Downtown Branding, Improving the community's perception of downtown, downtown website development.

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STATE OF MISSOURI Jeremiah W. (Jay) Nixon, Governor Joseph P. Bindbeutel, Acting Director
DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

January 21, 2009

M. Mari E. Macomber
City Manager
City of Kirksville
201 South Franklin
Kirksville, MO 63501

JAN 29 2009

Dear Ms. Macomber:

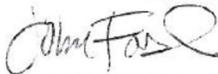
Thank you for taking the time to respond to our public notice on the proposed 2008 303(d) impaired water list. I understand your concern with the listing of Hazel Creek Lake and that it is easy for people to confuse a fish tissue problem with a drinking water problem. While the Department of Health and Senior Services is the primary state agency responsible for protection of public health and more specifically the issuance of fish consumption advisories, the Department of Natural Resources is required by the Federal Clean Water Act to identify waters, such as Hazel Creek Lake, that appear to not be meeting state water quality standards.

While there is no numeric tissue criterion for mercury in state water quality standards, our standards do recognize human health protection for fish consumption as a beneficial use of all the state's waters. Additionally there is a well accepted national criterion value for mercury in fish tissue. Section 303(d) of the Federal Clean Water Act requires states to use all "readily available" and "scientifically defensible" data in assessing their waters. The aim of Section 303(d) list is to identify and restore impaired waters. While I understand your concern about misplaced public concerns about drinking water safety, I am sure you also understand the need to identify and deal with a bona fide public health issue.

With regard to Bear Creek, this water was recently retained on the 2006 final 303(d) list by the U.S. Environmental Protection Agency. Since the department has no recent data that would provide good evidence this water is unimpaired, I believe Bear Creek will remain on the 2008 303(d) list. At this time, I believe the next step the department needs to pursue is to produce and review additional biological data for Bear Creek to confirm the presence or absence of biological impairment. If biological impairment is confirmed we would need to go forward with a Total Maximum Daily Load study to identify and provide limits for pollutants of concern. If no biological impairment is found, this additional monitoring should be justification for removing Bear Creek from the 303(d) list. If you have any questions, please contact me at P.O. Box 176, Jefferson City, Missouri 65102, (573) 751-7024 or email me at john.ford@dnr.mo.gov.

Sincerely,

WATER PROTECTION PROGRAM



John Ford, Unit Chief
Water Quality Assessment Unit

JF/lsm



Attention Ambassadors & Board of Directors:

A Ribbon Cutting will be held for:

**Northeast Regional Medical
Center's**

**New Cardiac Catherization
Lab**

Located in the

Imaging Department (Radiology)

Please enter thru the East Doors

Tuesday, February 10, 2009

10:00 am