

# KIRKSVILLE CITY COUNCIL NEWSLETTER . . .

Mari E. Macomber, City Manager MEM

Copies to: City Attorney  
Media

February 9, 2007

## **SUBJECTS:**

**DATES TO REMEMBER  
FEBRUARY 21 CITY COUNCIL MEETING  
TCRC UPDATE  
SALES TAX REPORT  
MML LEGISLATIVE UPDATE  
CURBSIDE TRASH AND RECYCLING  
FIRE CODE ENFORCEMENT  
E911 UPDATE  
SKATE PARK UPDATE**

## **ATTACHMENTS**

## **DATES TO REMEMBER –**

**13<sup>th</sup> – KREDI Meeting @ 4:00 p.m. AmerenUE  
14<sup>th</sup> – City Council Study Session @ 5:30 p.m. – Macomber out of Office  
16<sup>th</sup> – State of the County @ 8:00 a.m. – County Annex Bldg.**

**FEBRUARY 21 CITY COUNCIL MEETING** – Mayor Martha Rowe will be attending the 37<sup>th</sup> Annual Missouri Municipal League Legislative Conference on Wednesday, February 21 and Thursday, February 22. I will be attending the event for the Wednesday sessions only. The session ends at 5:00 p.m. on that day, but I will leave the meeting in time to attend the City Council meeting that evening at 5:30 p.m. Unless I hear otherwise from the City Council, we will continue to plan to have a meeting on that Wednesday.

**TCRC UPDATE** – The Executive and Management Committees of the TCRC met in January to get an update on the Center. Director, Kevin Baiotto, gave an overview of the programs that the Center was been able to host in their facility in 2006, including: Explorations in Anatomy and Science with the Missouri Area Health and Education Centers (MAHEC); UMSL Nonprofit Management and Leadership; Programming for Latinos; GIS/GPS training; a variety of computer classes; and many other types of programs. If the Council would like more information on the activities of the TCRC, we could ask Kevin to present a program at an upcoming Study Session.

**SALES TAX REPORT** – The sales tax remitted for February is much higher than usual. The Missouri Department of Revenue has told us that the increase is due to a local retailer remitting their payments earlier than usual. This should result in the March numbers going down.

**MML LEGISLATIVE UPDATE** – Included is the update from the Missouri Municipal League concerning items of municipal interest and work completed last week. These updates will be provided to you as they are received.

**CURBSIDE TRASH AND RECYCLING** – I met with representatives of Veolia, Waste Management system this past week to discuss possible changes to our refuse service and curbside recycling. I have asked that they look at everything from recycling to Spring Clean-up. I am interested in reviewing options to help resolve waste management issues that currently exist in town. Once I receive a response back from Veolia, I will outline the information for the City Council.

**FIRE CODE ENFORCEMENT** – The City Council discussed several items regarding changes to the business license ordinance. One item concerned the enforcement of the International Fire Code. There was a question regarding the actual enforcement of the code and why the Fire Department did not do so. The Fire Department does complete the inspections and prepares lists of violations that need to be rectified. However, the Fire Department does not have any enforcement powers to write tickets for a violation. The Department, after several attempts to obtain voluntary compliance, can fill out a complaint and information and submit it to the City Prosecutor for filing. The time that it takes to go from inspection to correction can be months. Once it goes to court it requires the firefighter who completed the inspection to attend court. Because the employees work shifts as opposed to 40 hour work week, we are not assured that the employee will be at work on the day of court. We are required to pay overtime pay for each firefighter to come in on their off duty time. Some of these individuals have other work commitments that require them to take off from that employer to appear in court. In addition, the business owner may and has asked for a continuance which would require a repeat attendance and additional costs to the City for court time. A final issue that does occur relates again to the shift work. Each employee on shift is assigned certain inspections to complete. Because inspections are not the primary service provided by these emergency providers, the firefighter completing the initial inspection is not always guaranteed that he will be able to follow-up with the property owner to insure compliance due to other work priorities, emergency response calls and other calls for service. We will still use the complaint and information approach but we have to have an alternative to help obtain compliance with the Fire Code that does not shift our priorities from emergency response to full-time inspection work.

**E911 UPDATE** – The E911 Board met this past week to continue its discussion concerning a sales tax option for E911 services. One of the concerns that I expressed regarding the tax is the actual amount requested. There are needs that are not being met with the level of funding provided by each entity and should equipment fail, each entity would have to come up with the amount of money necessary to replace the equipment. The City of Kirksville pays the lion's share of the cost, 52%. The tax amount proposed by the Board is 3/8ths of a cent, which would generate close to \$1 million. The E911 system's budget is slightly over \$500,000 for 2007. This figure does not include any capital replacement. A ¼ cent generates approximately \$600,000. Because of the

concern I expressed the Board will be looking into a couple of other options both of which still include the consideration of a sales tax, but would either roll back the tax should the fund balance exceed a certain level or a lesser sales tax that would require some payments from the current E911 Joint Service Board partners. One other option that will be pursued will be a discussion with the Adair County Ambulance District to determine if any support could be provided from this source. The Chairman, Vice Chairman and E911 Director will be in attendance at the upcoming City/County meeting later this month to share information with both groups.

**SKATE PARK UPDATE** – The youth working on raising money toward the construction of a skate park are meeting regularly. The group has scheduled a fun raising concert to take place on Saturday, February 17 at the Alpha Kappa Lambda Fraternity House. The event will cost \$7 per person. There will be several bands performing. Steve Bell has been working with this group and has been working with a group of parents. Though the youth are interested, we have been having trouble getting parent interest and involvement. We are operating under the idea that a parents group needs to take the lead on organizing and directing the efforts to raise the local match required should the grant be funded to build the skate park. To date, we have received minimal parent support. The parents group will be meeting again this Tuesday evening to try and identify ways to get more interest and support.

#### Attachments

Sales Tax Report for February – pg. 5

MML Legislative Update – pg. 7



**SALES TAX COLLECTIONS BY FISCAL YEAR**  
**One Cent General Sales Tax**

	<b>2003/2004</b>	<b>2004/2005</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
<b>January</b>	187,958.67	179,410.83		185,123.44	201,467.60
<b>February</b>	79,376.94	67,108.84		96,634.04	181,920.03
<b>March</b>	308,888.10	306,530.87		322,180.50	
<b>April</b>	154,047.00	176,521.54	195,655.59	214,395.10	
<b>May</b>	56,474.84	65,360.86	59,159.40	42,975.59	
<b>June</b>	267,149.34	301,897.06	308,001.22	332,297.08	
<b>July</b>	183,798.47	186,538.96	190,611.14	219,132.32	
<b>August</b>	73,305.14	70,760.18	66,012.88	84,424.76	
<b>September</b>	236,150.23	301,195.71	311,884.76	313,225.26	
<b>October</b>	248,789.17	193,208.43	219,075.90	212,575.62	
<b>November</b>	77,428.75	63,603.21	129,776.12	71,710.31	
<b>December</b>	286,054.01	309,266.07	253,015.27	309,706.14	
<b>TOTAL</b>	<b><u>\$2,159,420.66</u></b>	<b><u>\$2,221,402.56</u></b>	<b><u>\$1,733,192.28</u></b>	<b><u>\$2,404,380.16</u></b>	<b><u>\$383,387.63</u></b>

With the February 2007 distribution, year-to-date collections are **36.07%** higher than the amount received for January-February 2006.

January-February 2007 in comparison to January-February of the following fiscal years shown:

FY 2004/2005	+ 55.52%
FY 2003/2004	+ 43.41 %





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94th General Assembly  
(First Session)

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### Legislative Update

**STATE VIDEO FRANCHISING SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR S.B. 248 ...** (Griesheimer) The state video franchising bill was the first bill debated on the Senate floor (lucky us). The bill is supported by the telephone companies, the cable companies, the chamber of commerce, and the legislative leadership. The bill allows the Public Service Commission to issue a video franchise to a telephone company, at which time the local cable company may nullify its franchise with the city. The telephone company must build-out to 25 percent of its service area within three years of the start of construction.

The original bill was amended by Senator Joan Bray to give the municipal government control over the placement and screening of the cabinets in the right-of-way. Senator Joan Bray also successfully amended the bill to improve the PEG (public access television) provisions and to provide some minimal customer service standards. Senator Griesheimer deleted the provisions for a new satellite T.V. tax and to prohibit cities from regulating VOIP.

Although this bill is on the fast track, we have been able to improve the bill. Debate on the bill will resume on the Senate floor the week of February 12. Please express our appreciation to Senators Joan Bray, Victor Callahan, and Tim Green who have consistently supported the MML against the coalition of special interests.

**POLICE AND FIRE OVERTIME PROVISIONS S.C.S.S.B. 255 ...** (Loudon) The bill to restore the flexible work schedules for firefighters and police, was returned to the Small Business Committee on a technicality. It will likely be debated on the Senate floor the week of February 12. We expect the bill to receive prompt approval and be sent to the House.

