

KIRKSVILLE CITY COUNCIL

NEWSLETTER . .

Mari E. Macomber, City Manager *MEM*

Copies to: City Attorney
Media

July 6, 2007

SUBJECTS:

NO PARKING
DETACHMENT LETTER
DONATION FROM CITY
SAFE ROUTES TO SCHOOL
CRIME GRANT
DOWNTOWN CANOPIES AND FACADE IMPROVEMENTS
SEXUAL ORIENTATION ORDINANCE
LIQUID SPILL
NO SMOKING UPDATE
TOURISM UPDATE
E911 UPDATE
TIF UPDATE
FIRE TRUCK UPDATE
OPEN HOUSE
ATTACHMENTS

DATES TO REMEMBER

7/15 - Heartland Wildlife Ranches – Open House 1-6 p.m. (see info in Newsletter)
7/17 – City Council Meeting @ 5:30 p.m.
7/24 – City Council Study Session @ 5:30 p.m.

NO PARKING

The City Council has been asked to reconsider the removal of parking along the east side of Franklin Street in front of Sparks Cleaners. The Downtown Improvement Plan established and approved in 1999 and the subsequent Downtown Design Guideline Plan approved in 2003 both establish no parking on the east side of Franklin Street from Normal to Jefferson Street. Justin Tallman, owner of Sparks Cleaners requested the retention of parking in front of his business. The City Council heard Mr. Tallman's concerns. One member of the Council asked Mr. Tallman to poll his customers to determine what the impact of the removal of parking could have on his business. Mr. Tallman did that and provided a summary of his findings. In the meantime, staff spent time reviewing this again. The Downtown Plans, both of which were approved by the TIF Commission, City Council, Downtown Partners, KDIC, Chamber of Commerce, ATSU, TSU, and Adair County Commission, were reviewed again. The parking is to be eliminated from this section of street. In discussing the matter with Council member

Rodgerson, I explained that the City Council could make a change to the Plan, if you wished to do so. However, I offered one final alternative. Mr. Tallman wants to have a space that allows his customers front door access to his business. Having a parking space does not guarantee him a space. The alternative that I propose is to establish a 15 minute loading and unloading zone in front of the store. This proposal does not go against the downtown plan, and actually would give Mr. Tallman's customers greater opportunity to access his building. I met with Mr. Tallman and explained this option to him, he would be satisfied with this approach. Council member Rodgerson is in favor of making a change to support Mr. Tallman and would be supportive of this concept. The City's traffic engineer, John Buckwalter, could establish the zone without City Council action.

DETACHMENT LETTER

The City annexed property, known as the Adams Nichols Sewer District, on the south west part of the community in 1996. As part of this annexation, it was understood that the City would provide all municipal services to these citizens including water. In the fall of 2005, the City and Public Water Supply District entered into an agreement that stated the Water District would pursue the approval from the Courts to detach the water service requiring the property owners to connect to the City's system. The Circuit Court approved the detachment last week. A letter was prepared requiring signature of both the Water District Representative and the City's. A copy of this letter is attached and basically informs the resident and property owner of their responsibility and the City's willingness to assist them in completing the work.

DONATION FROM CITY

A letter was dropped off by a member of the Kirksville Alumni Chapter of Truman State University asking the City Council to support a golf tournament the Chapter was hosting. The Alumni Chapter stated in the letter that the funds would be used to provide a scholarship for a student attending Truman State University. The request is for \$50. The City has not gotten into the practice of making donations to causes and fund raisers. The City has used its funds for community events, such as the fireworks or the concerts on the square or helping to add an amenity to a city owned park.. Since the request came in and addressed to the City Council, I felt it necessary to bring it to your attention and you decide whether or not you wish to begin donating city funds to such causes. I would encourage you to not begin making these types of contributions.

SAFE ROUTES TO SCHOOL

The City was not successful in its grant application to the Missouri Department of Transportation for the Safe Routes to School Program. There were 99 applications with 46 of those receiving awards. And 21 of these funded actual trails and sidewalks.

CRIME GRANT

The Police Department was just notified, by the Missouri Department of Public Safety, that they will receive a \$26,003 grant for ongoing internet crimes investigations. The Internet Cyber Crime Grant (ICCG) is a continuation of previous grants dedicated to combating internet sexual predators. The grant, which will require a \$2,889 City match, provides:

- \$ 9,356 Overtime for investigators
- \$ 2,835 Travel/training

\$15,215 Equipment enhancements (for the computer lab)
\$ 1,485 Administrative supplies (ink cartridges, software renewals)

DOWNTOWN CANOPIES AND FACADE IMPROVEMENTS

The Kirksville Downtown Improvement Committee (KDIC) is a group comprised of business managers/owners and representatives of governmental and non-profit organizations within the downtown area. They meet monthly to discuss items of interest including: parking, joint promotions, special events in the downtown, etc. Recently this group has been discussing the City's plan to remove the metal canopy on Franklin Street when we do the sidewalk replacement project that was funded through a MoDOT Enhancement grant and the TIF. Both the Downtown Improvement and the Redevelopment Plans call for the removal of the awnings. There are some property owners who want the canopies permanently removed in favor of individual awnings that match the theme and character of their building/business, and there are those who are opposed to the awning removal. A letter was received that is signed by several business owners who do not want the canopies removed. A copy of this letter is included. A sub-committee of the KDIC has been formed and has met twice to talk about the canopies and determine what the options are. One of the main concerns from the business owners is the cost they will incur to purchase and install an awning once the canopy comes down. They also are concerned about funding for improving their facades if they are going to be making improvements. One idea that came from the sub-committee was the option of facade easements or deeding facades. In some communities (mostly for historic preservation purposes) property owners of historic buildings deed the facade only (not the entire building) to a non-profit so that they can get a tax credit and the non-profit can get funding for improving the facade. In this case the committee has proposed deeding the facades to the City so they become publicly held infrastructure and then public monies (TIF money, other grant money) could be used for their improvement. On the other side of that is that then the City would be liable for these facades and would have to provide on-going maintenance for them. I am bringing this up to see if you would like to have further discussions about this idea. To assist the property owners in the block between McPherson and Washington, I will be offering them low interest loan funds to either help pay for the temporary removal of the awning, or to install a new awning along their store front. I have also included a copy of the letter that is being sent to the property/business owner of those buildings between McPherson and Washington Street, and a copy of the City's Ordinance regarding the canopies.

SEXUAL ORIENTATION ORDINANCE

The City of Ottumwa is currently considering whether or not to pass an ordinance that would ban discrimination based on sexual orientation. This action stems from the State of Iowa passing an Act establishing it a violation of a person's civil rights if an individual is discriminated against due to sexual orientation in employment, public accommodation, credit housing or education. Since this was reported, I was asked about the City considering such a measure. The City of Ottumwa has a human rights commission, who is responsible for hearing and determining whether or not someone's rights were violated. The City of Kirksville has a process for citizens to pursue for fair housing complaints, but we do not have a human rights commission. I am not sure whether or not Kirksville could establish a commission with the roles and responsibilities of hearing cases. It would be expected that the City would have to designate staff time to this commission. If this is something the City Council wishes to

pursue, please let me know. It has been brought up by at least one citizen in the past, but the City Council repeatedly did not wish to pursue the formation of a human rights commission.

LIQUID SPILL

We had a "spill" yesterday afternoon down at the old Derby station south by Country Kitchen. A company called Industrial Petroleum & Environmental Co. from Hallsville, MO, removed the old gas tanks from the gas station a few weeks ago. The slurry and water and mud mix that was under the gas tanks was removed and put into a trailer-mounted tank, and left at this location while the material was supposedly tested by a laboratory. The supervisor of the job said they received a report back that the liquid was not toxic or hazardous. The company sent a 3-man crew up yesterday, to drain what was left in this tank (some was pumped out and put into another truck and hauled off). The crew drained the tank down the driveway, and then into the ditch. It is a mud/muck/slurry mix, kind of like a gravy. Public Works employees saw them, and reported the incident to appropriate city officials. The DNR was called. City staff met with DNR. DNR wants it cleaned up, as do we. The Company is supposed to come back and start clean up operations. We are exploring the possibility of charges and have met with the Police Department.

NO SMOKING UPDATE

Decals/Signs - City staff has been busy this week visiting affected business places to make sure they have the required No Smoking sign or symbol sign on all entrances. The majority of the businesses have complied either by posting the city-provided decals, or signs that were already in place prior to the ordinance. Those signs, or symbols were also checked for size and color compliance with the ordinance. City buildings and parks have been signed. **Phone Calls** – The Administration office has received phone calls the past two weeks, with 90 percent of those callers asking if the fair ground property was included under the Smoke Ban. A very small percentage of callers thought the smoke ban was for all businesses. The number of phone calls have been minimal, and we would like to believe the reason is because we kept the public well informed throughout the process. **Convenience Stores**- Several convenience stores have posted signs due to their interpretation of the Smoke Ban Ordinance. When the City Council discussed the Ordinance, there was no discussion and therefore no intent to prohibit smoking in convenience stores. I have touched base with the City Attorney to discuss the issue and his interpretation and recollection. He is in agreement with me. If our interpretation and recollection of intent is incorrect, I will need to know. At this time, we will not be addressing issues should they arise from these locations.

TOURISM UPDATE

The Tourism Coordinator selection Committee chose Debi Boughton to serve as the first Tourism Coordinator. Debi will begin her duties on July 16. The selection committee consisted of the Chamber Executive Director, two Chamber Board members and two members of the Tourism Advisory Committee which included me. Debi Boughton will bring not only her knowledge of the community, but her passion to sell Kirksville as a place for people to visit.

E911 UPDATE

The E911 Joint Services Board has voted to ask the Adair County Commissioners to place a sales tax question on the ballot for November. If approved, the voters will be asked to consider up to a 3/8 cent sales tax to support these services. The ballot language will also provide some flexibility for the governing board to establish the sales tax rate annually. This would mean that the tax rate could be less than 3/8, but no more than this amount. A question that has been asked is whether or not the City Council supports this tax. The Joint Service Board has been exploring a sales tax for some time, and would have placed it on a previous ballot, but the Ambulance District placed their sales tax issue on the ballot first. The City currently pays the majority of the costs of the E911 operations. Our fees are based on a percentage, so as costs go up and equipment requires replacement, the City must come up with their share of the cost. A 3/8 cent would generate \$975,000. It would allow for current funding, plus the upgrade of equipment such as new phone system, communication towers, radios and warning sirens in the County. The issue must be approved by the County Commissioners to be placed on the ballot. The County Commissioners informed the Board that the Board would need to pay the costs of the election, which is estimated at \$18,000. This would mean the City would be responsible for paying 51% of the costs. The County Commission could waive the fee, but is unlikely to do this. The County had stated that they would support the placement of the issue on the ballot, and informed the Board just recently of the requirement to pay, therefore, the City does not have the close to \$10,000 budgeted for such an expense. The ballot language would read as follows: *“Shall the County of Adair impose a county sales tax not to exceed three-eighths of one percent (3/8 of 1%) for the purpose of providing central dispatching of fire protection, including law enforcement agencies, emergency ambulance service, including emergency telephone services, and other emergency services? If the sales tax is approved, the actual tax rate will be set each year at a rate (not to exceed 3/8 of 1%) that, together with any surplus revenues carried forward, will produce sufficient revenues to fund authorized expenditures.”*

TIF UPDATE

The Adair County Commissioners have remitted their share of the annual activity tax for the downtown TIF. The amount was \$11,848. The City has not heard any further response from the Adair County Ambulance District regarding the Downtown TIF and economic activity tax requirements. I will follow up with the Board on this issue.

FIRE TRUCK UPDATE

Bids will be solicited starting this week for the 100' aerial ladder/platform fire truck. A committee within the Fire Department was responsible for developing the specifications. We anticipate receiving bids from three vendors. Bid responses are due by August 7. At the earliest, this item will be on the August 21 agenda for City Council review and approval.

OPEN HOUSE

The Heartland Wildlife Ranches will host an open house on Sunday, July 15 from 1:00 to 6:00 p.m. The Ranches is about 30 minutes from Kirksville. Directions to the Ranch are as follows:

Begin west on HWY 11 for 14 miles

Turn left on HWY 149 heading south 13 miles to Goldsberry

Turn right on HWY J heading west 1.5 miles

Turn left on Ballpark Avenue (dirt road) heading south 1.5 miles to pavement
Press the "Call" button at the Heartland Wildlife Ranches main gate

ATTACHMENTS

Letter from Justin Tallman – pgs. 7-12
Detachment Letter – pgs. 13-14
Canopy Letters – pgs. 15-16
Business Owners Canopy Letter – pgs. 17-20
Canopy Ordinance – pgs. 21-22
Sales Tax Information June – pg. 23
Water District Water Usage – pg. 24
New Building Permits – pg. 25
Open House Information – pg. 26
Humane Society Report – pg. 27

Justin Tallman
Sparks Cleaners
309 S. Franklin
Kirksville, MO 63501

I guess I should back up a bit, I have been told by many that the plans for a Franklin Street bike trail have been worked on for a long time, and that everyone has had ample time for opposition to the plans. What is considered a long time though? Is it five years of planning, or is it six months of waiting to see how the plans will affect your business? Is it three weeks of trying to get someone to see your side of the story, or is a matter of months to see a business close after being there for 90 years because the people who are supposed to be representing our best interest will not listen to compromise. I just think that everyone needs to look at the entire picture. I feel that I am being looked at as only one business holding up an entire project. But this is not the case. TCRC is concerned, but due to city conflicts will not step forward. Ti Khan Do uses my public and private parking so they do not realize the up coming problems. The tattoo shop uses an out of business parking lot. But what happens if that business is reopened? Reflections and the Chamber of Commerce will also see the effects after their parking is over run. Unfortunately I am the only one who is speaking up. Just because I am the only one though, does not mean I deserve to be ignored or overlooked.

Six months ago I heard a rumor from Mr. Rhinehart that a bike trail was coming in and the parking taken out from the east side of Franklin. At the time I did not think much of it because I did not think the city would be so callus in not informing affected businesses. As time went on, I heard more and more talk, but not from the city though. I approached Mari Macomber around February 07' to check if these rumors were true. She said there was going to be a bike trail but I needed to talk to engineering about the parking changes. I spoke with Craig Dawson and he said there were no definite plans drawn up yet, but the possible elimination of parking was being discussed. I asked him if he would contact me after plans were drawn up so I could discuss the affect on my business. He said that he would, but informed me that he was merely an employee of the city and just drew up plans as he was told. If I wanted more done I should talk to Mari. I spoke with Mari several time since February asking if any plans or talk had been done with no decisive answer, but she did make an offer of possibly designating some parking spots for my tenants in the city parking. I did not, and have not declined this, but have voiced my disapproval of the idea.

Three weeks ago, after receiving no phone call, I called the engineering office. To my surprise, plans were done and I was basically told that the plan had been worked on long enough and I would be losing my parking. If it is too late for changes, why were the plans modified just this week (July 2, 07') south of Pierce Street. **This is not just one parking spot, but 100% of my parking!** I gave a couple of ideas to Mari that were talked over with the mayor but turned down. This took around a week and a half, then I was told I could bring it up to the city council if I was not pleased with the outcome.

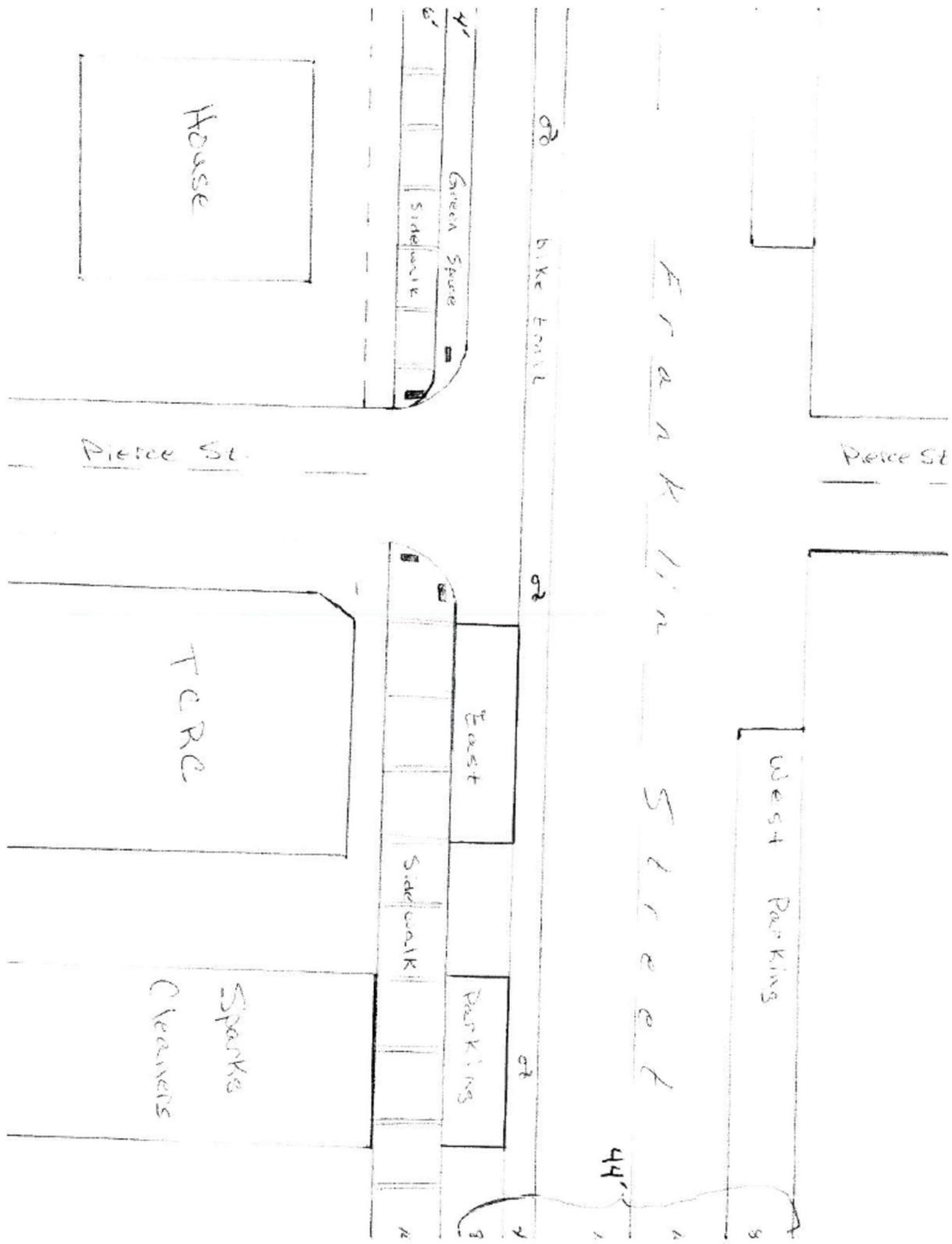
That brings us to the present. I might be only one business but you can not tell me that four jobs are not important. That is three families, children, and grandchildren affected by your upcoming decision. I have had to find out everything on my own with great resistance to any new ideas or suggestions. Minds seem to be made up even though there is a very easy solution to the problem...compromise. I have submitted a proposal to create the bike trail and keep the parking. This proposal has been discussed with Craig and he told me that it could work. He saw it done in New York. Angie Ware said she saw it done in Bolder Colorado, when she was doing her undergrad there. She said that it worked well there. If it works in higher traffic areas I am sure that it would work in Kirksville, MO.- Have a sidewalk curb, then parking, then bike trail, then traffic. This would solve both concerns. The bike trail and the parking. Keep both.

I have also submitted a list of customers which have signed to the fact that their cleaning habits would change or stop. I talked to over fifty percent of these people personally that said they would have to look elsewhere to do business if the parking was eliminated. These sixty six names represent over \$53,000.00 of annual sales. Even if I only lost fifty percent of that, that would be almost \$27,000.00. This would almost certainly close my doors. I have also included some comments customers have made why they would have to change, or just about the parking issue.

Sincerely,



Justin L. Tallman
Owner Sparks Cleaners



Customer comments:

I won't walk across this busy street with an arm full of clothes.

I won't park next to this building (TCRC) with a blind spot and too close to open my door next to drive through cars.

You mean to tell me I'll have to wait to pull through here until other costumers leave. I don't have time.

I'm in a hurry when going to the cleaners, I have other errands to run.

It's just not right after you did all that work to your front, the city should consider that in beautifying the down town. Why can't they meet you half way?

What good does it do to improve the looks of the down town if you run all the businesses out or force them to close.

Did undergrad in Boulder, had bike trails everywhere and still had parking.

Two way bike trail, wouldn't that cause a safety problem at the cross streets and oncoming traffic?

Won't that cause a problem for not only you but all the other businesses in the area. We'll never find a spot to park.

Parking next to the building(TCRC) you'll never be able to stop others from parking there and that's your property.

It's bad enough coming across the street, but going with your hands full of clothes and trying to get your car door open without getting run over by traffic.

Have they taken a biking census versus a parking census?

Is the city trying to stop free enterprise, and let beautification pay for the taxes of this town?

The city of Kirksville is wanting to eliminate the parking out front of Sparks Cleaners. If you think this would affect your doing business with me, please sign...

John Smith	Kan Smith
Ally & Wally	Meey Maus
Cindy L. Dewes	Darla Dixon
Carl G. Wynn	Bob Basham
Wika Porro	Jim Hodge
Adam Noffsinger	Kenneth Peterson
Kim Sieren	Jermy RAA
Stanley Guffey	Don Cooper
Jim McCallum	Janice
Judy Lane	Bob Beard
Sonnie McCallum	Debbie Buckley
Rickard & Ellis	Kim Murphy
Andy & Floyd	Michelle Doss
Balys Floral	Sam M. Linderoth
Kalin Balys	Angie Worn
	Tim Tucker
	Uma & Andy
	Ed Feather

The city of Kirksville is wanting to eliminate the parking out front of Sparks Cleaners. If you think this would affect your doing business with me, please sign...

Mary J McKenzie
Ellyott
Halene Spain
Jack Puls
Dustin Partin
Dana Bivins Partin
Renee Wautin
Dana Sparks
Carol Richards
and Fred
Kendra Bennett
Bud Dumas
Naty
Joseph Felt
Annette Sweet
Karye Nichols
Randy B
Sarah Stark

Vicki Austin
Mr. & Mrs.
McCluskey
Jeri Sechtung

Matt Linn
Pat Elmerich
Sandra Connor
Ashley M. Young
Penny Hunter
Ray D. Jones
John Sch...
Mary Strosnicki
Bob Libby
KATHLEEN POWELL
Robert McCall, Jr.

The city of Kirksville is wanting to eliminate the parking out front of Sparks Cleaners. If you think this would affect your doing business with me, please sign...

A Joint Letter of the
Adair County Public Water Supply District No. 1
And the City of Kirksville

July 9, 2007

Dear Property Owner:

In April 1996, the Adams Nichols Sewer District was voluntarily annexed into the city limits of Kirksville. As part of that annexation, city services began to be provided. It had been understood that the City would provide all municipal services to the citizens in this area.

In October 2005, the Public Water Supply District #1 of Adair County and the City entered into an agreement that outlined the District's desire to transfer those customers who reside within those annexed areas to the City. The City agreed and has extended water service to each of those remaining areas, which includes your property.

As part of that Agreement and in compliance with Chapter 247 of the Missouri Revised Statutes, the area formerly a part of the District but remaining in the limits of the City of Kirksville has been detached. This means that this area is no longer a part of the Public Water Supply District #1 of Adair County and the District is no longer authorized to provide service there. Your residence is in the detached area. In order to provide for an orderly transition of customers from the District to the City, the District will not be disconnecting water service and abandoning its lines until October 1, 2007. After that date, however, water service will no longer be available from the District to any person living within the City of Kirksville.

As a result, you are responsible for switching your water service over from the Public Water Supply District and connecting your service to the City of Kirksville's water system. Normally there is a deposit for water service. The City will waive the water deposit requirement. To assist you in this transition, the City of Kirksville is willing to work with you by obtaining bids and selecting one contractor who would provide this water service connection and tap into the City's water main. The City would then enter into an agreement with you stating that we would pay the contractor for the work allowing for the repayment of these funds within one year of your connection to the City's water main. These payments would be included in equal payments on your water bill.

This transition should save you money in the long run. Based on the average water usage of customers within this area, an average bill from the Water Supply District would be \$57.51, while the cost of the City's water service would be \$26.38. Again, this is only an average.

We look forward to working with you to complete this transition. The Public Water Supply District thanks you for the years we have been able to serve you, and the City of Kirksville looks forward to providing you all municipal services.

To take advantage of the City of Kirksville's offer, please contact Mari Macomber, City Manager at 627-1225 within fourteen days of the date of this letter. If you are not the responsible party, to insure compliance please forward this letter to that individual.

Sincerely,

Brent Motter
Board President
Adair County PWSD #1

Mari E. Macomber
City Manager
City of Kirksville

Pc: Dennis Brawner – General Manager Adair County PWSD #1
Laura Guy – Finance Director City of Kirksville
John Buckwalter, PE – Director of Public Works

July 5, 2007

Dear :

For many years the City of Kirksville has worked with the business owners/property owners and other interested groups to plan for improvements in the Downtown. Some of these improvements have been completed – renovation of the Courthouse grounds – while others are underway – new water lines in the Downtown. Other projects are funded and will be completed in the near future – Franklin Street sidewalk improvements (summer 2007) and Jefferson Street street and sidewalk improvements (summer 2008). All of these projects were designed and implemented toward meeting one goal: to strengthen the center of the Kirksville community by creating a positive image, fostering economic development, and revitalizing and preserving downtown Kirksville.

We have commissioned two Downtown plans. The 1999 Downtown Improvement Plan addressed areas of concern for the Downtown and suggested improvements and the 2004 Design Guidelines outlined more specific recommendations for signage, awnings, facades, and other details in the Downtown. As projects are designed, elements that came out of these plans are incorporated.

This is true of the Franklin Street Sidewalk improvement project that we are preparing for. The plans referenced above suggest improving sidewalks, making them a uniform width, and incorporating the brick banding that is present in the new sidewalks around the courthouse and theater. The plan also calls for removing the metal canopy and having businesses either put up an individual awning for their building, or leave the front of the building open so that shoppers are better able to view their storefront.

I am aware that you have had conversations with representatives of the Kirksville Downtown Improvement Committee and/ or city officials regarding this issue, and that this letter serves as formal notification. Whether you wish to retain your awning or wish to explore other improvement options, you may do so. The City would like to assist you with this project by offering you two options.

According to City Ordinance 21-164 *“In the event the City should find it necessary to reduce the width of the sidewalk in the future for the general safety of the public and a smoother flow of traffic on the adjacent street thereto, then the roof overhang of the canopies so erected shall be required to be shortened, to extend only to the curb, and the upright supports relocated two (2) feet from the curb, at no expense or cost to the City.”* This ordinance would allow the canopies to be removed, shortened, and reinstalled at the property owners expense when the City does the sidewalk project. However, we felt it would be a better use of the

property owner's resources to purchase an appropriate awning or do facade improvements. So, the City budgeted for the removal of the canopy as a part of the sidewalk project.

Option 1 - If you as the property or business owner determine that the metal canopy should stay you have the ability to make that decision. If you wish to retain the awning, you will be responsible as the ordinance states for removing, shortening the canopy to the side of the new sidewalk, storing the canopy off-site during the sidewalk renovation, and for reinstalling the canopy upon completion of the sidewalk, according to Ordinance 21-164. To assist you with this, the City would solicit bids from a contractor for this service and oversee the work. The City would also assist you by providing you a no interest loan up to \$500.

Option 2 – If you as the property or business owner determine that you wish to eliminate the canopy and explore other façade improvements you have the ability to make that decision. To assist you with this, the City would solicit bids from a contractor for the removal of your awning. The City would also assist you by providing you a no interest loan up to \$2,500.

Both the 1999 Downtown Improvement Plan and the 2004 Design Guidelines recommend removing the canopy. As such, our plans have worked toward those goals. During the process for creating both plans, downtown business and property owners were invited to attend several planning sessions and give their input. The plans were derived from that input and hopefully reflect the vision that you have for the Downtown. The uncertainty that comes with change can be difficult, but everyone has the best intentions for the future of the Downtown in mind.

If you are not sure what you want to do, the City will be hosting an opportunity for you to meet with city staff and potential vendors about canopy and façade options. Details for this will be forthcoming in the very near future.

We are hopeful that business owners will chose to take advantage of one of the City's offers. It is your decision on how you wish to proceed, so long as there is compliance with City ordinance. Please contact Assistant City Manager Kris McKim by August 3 of your decision. Whether you accept the City's offer for permanent removal or wish to reinstall your awning, the awning will need to be removed from your building by August 31 to accommodate the sidewalk replacement schedule.

I would like to encourage you to allow the City to remove the awning and then you determine the new look you wish to have for your façade and use your resources to that end.

Sincerely,

Mari E. Macomber
City Manager

Enclosures

June 22, 2007

City of Kirksville, City Council

Dear City Council Members,

We are a group of concerned business owners and citizens who would like to keep the awnings in the downtown area. We feel the council has been misled to believe most people want them removed. In our informal survey approximately 75% of the surveyed responded **strongly** they wanted them to stay 10% didn't care and 15% wanted them down.

Last Monday when it was raining we had consumers looking in business windows and strolling leisurely despite the downpours. In the winter we would have more dangerous conditions on the sidewalks with snow and ice if the awnings are removed, a major concern as society ages.

We believe the City Council would not want to injure Downtown Businesses but would want to do what the majority of citizens prefer. We recommend halting any actions to remove the awnings until the Council can do a formal survey or study. We realize Mayor Newton having the only restaurant in the downtown area without an awning has a business interest about this personally and believe he should recuse himself from discussion and vote except as a citizen and business owner.

We invite any council member to stand on the street corner with us and ask all who pass if the awnings should stay or be removed as we have and you will understand why we write this letter.

Sincerely,

Concerned Citizens of Kirksville

Bryan B. Collier (Gardner-Collier)

Paul Owens (House of Juice)

Mikki Hamlin (Paglia's Pizza)

Wilma Gates Julius Hallmark

Don Sammers King Appliance Co

Leviticus Dymalzyk New China Palace

Linda Hunt Ranson Pickell Abstract Co.

Henry Farcy Hidden Treasures

James + Dewi Edwards Shelter Insurance

Marty + Barbara Wallace RYAN'S SPORTS BAR + GRILL

Tommy

ATTORNEY AT LAW

NEW VISION OPTICAL

Charles W. Moody

Brenda Jewell

Ferry Caldwell

Jalisa Ayers

Jana Miller

Kew PAGE

Kew PAGE

Kelly L. Lovelace

UPTOWN CAFE

THE GREEN DOOR

The Green Door

The Hair Academy 110

PAGES OF LOOKS

TOO TAILS THERMO

attorney.

Courtney Frederick - The Locker Room

Brenda Fryman - The Manhattan Cafe & Battery

Bruce Collier - Downtown Cinema 8

Neil L. Kline

David Daniels Circle (M) Music

Do not remove the canopies (addendum to B. Collier's petition)

Sandy Rammers

DIVISION 3. CANOPIES

Sec. 21-161. "Downtown business district" defined.

The "downtown business district" for the purposes of this division shall be defined as that area commencing at the public square, and including the same, and extending two (2) blocks east, south, west and north from such square.

(Code 1974, § 21-25)

Sec. 21-162. Construction authorized in downtown business district.

Sidewalk canopies, as specified in this division, are authorized to be constructed, erected and installed in the downtown business district of the city, after obtaining all required permits.

(Code 1974, § 21-26)

Sec. 21-163. Upright support requirements.

The sidewalk canopy upright supports, authorized to be erected under this division, shall have a minimum exposed height of ten (10) feet and be placed two (2) feet from the outside sidewalk curb. Such supports shall be spaced not more than twenty-four (24) feet apart, commencing two (2) feet from the corner of the block.

(Code 1974, § 21-28)

Sec. 21-164. Roof overhang; reducing width of sidewalk.

The roof overhang of the sidewalk canopies authorized to be erected under this article shall not extend beyond the outside curb of the sidewalk proposed to be covered. In the event the city should find it necessary to reduce the width of the sidewalk in the future for the general safety of the public and a smoother flow of traffic on the adjacent street thereto, then the roof overhang of the canopies so erected shall be required to be shortened, to extend only to the curb, and the upright supports relocated two (2) feet from the curb, at no expense or cost to the city.

(Code 1974, § 21-29)

Sec. 21-165. Drainage from canopies.

Any drainage, rainwater, melted snow, etc., collected on the sidewalk canopies shall be disposed of in a safe manner. The design and operation of drains, etc., shall be the responsibility of the adjacent landowner and liability shall be in accordance with section 21-167.

(Code 1974, § 21-30)

Sec. 21-166. Responsibility for maintenance of canopies; repairs by city.

The maintenance and repairs of all canopies erected under the provisions of this division shall be the sole responsibility of the owners of the adjacent buildings. On failure by the owner of an adjacent building to maintain and repair the canopy fronting his building, the city shall have the right to have the same maintained or repaired, and the costs incurred therefor shall be assessed to the building owner and the same shall constitute a lien on the adjacent real estate until the city has been reimbursed the cost incurred thereon.

(Code 1974, § 21-31)

Sec. 21-167. Liability for damages, etc.

Any and all accidents, injuries or other damages, created or caused by the sidewalk canopies authorized by this article to passing pedestrians or motorists shall be the sole liability of the adjacent building owner, and the city is absolved of all liability therefor, except, for any negligent acts on the city's part in maintaining the adjacent street which results in unknown hazards to the building owner.

(Code 1974, § 21-32)

SALES TAX COLLECTIONS BY FISCAL YEAR
One Cent General Sales Tax

	2003/2004	2004/2005	2005	2006	2007
January	187,958.67	179,410.83		185,123.44	201,46
February	79,376.94	67,108.84		96,634.04	181,92
March	308,888.10	306,530.87		322,180.50	261,636
April	154,047.00	176,521.54	195,655.59	214,395.10	208,545.5
May	56,474.84	65,360.86	59,159.40	42,975.59	78,33
June	267,149.34	301,897.06	308,001.22	332,297.08	325,35
July	183,798.47	186,538.96	190,611.14	219,132.32	284,84
August	73,305.14	70,760.18	66,012.88	84,424.76	
September	236,150.23	301,195.71	311,884.76	313,225.26	
October	248,789.17	193,208.43	219,075.90	212,575.62	
November	77,428.75	63,603.21	129,776.12	71,710.31	
December	286,054.01	309,266.07	253,015.27	309,706.14	
TOTAL	<u>\$2,159,420.66</u>	<u>\$2,221,402.56</u>	<u>\$1,733,192.28</u>	<u>\$2,404,380.16</u>	<u>\$1,542,10</u>

With the July 2007 distribution, year-to-date collections are **9.16%** higher than the amount received for January-July 2006.

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

FY 2004/2005	+ 18.03%
FY 2003/2004	+ 18.03 %

ADAIR CO WATER SUPPLY DISTRICT WATER USAGE

(29,000,000 gallons allowance per month-amended 11/03/03)

	6/29/05 to 7/28/05	7/29/05 to 8/29/05	8/30/05 to 09/29/05	9/30/05 to 10/28/05	10/29/05 to 11/28/05	11/29/05 to 12/27/05	12/28/05 to 01/26/06	1/27/06 to 02/27/06	2/28/06 to 03/28/06	03/29/06 to 04/28/06	4/29/06 to 05/24/06	5/25/06 to 06/28/06	6/29/06 to 07/31/06
03800900 Cottage Gr & Illinois	339,160	301,300	369,520	306,590	64,120	0	0	0	0	0	0	0	0
03800920 Boundary & LaHarpe	16,110	14,280	14,190	9,470	8,000	6,500	9,060	7,670	6,400	7,720	6,510	9,550	9,440
03800925 Shepherd Ave	533,300	449,800	504,800	415,400	457,200	422,200	565,300	519,600	452,900	431,200	344,800	503,400	503,800
03800930 Radical Ridge Rd	246,882	173,987	191,001	119,199	278,195	262,798	350,509	313,336	277,194	224,462	166,369	326,633	331,776
03800940 Hwy 11 East	0	0	0	0	66,500	65,400	90,700	80,600	73,500	72,900	64,900	92,500	90,500
03800960 W Missouri St	518,600	338,800	426,820	480,030	484,110								
03800970 Lincoln & Benton Way	630,725	555,999	632,445	484,112	545,867	470,640	687,990	625,440	545,990	546,540	432,030	568,650	545,880
03800980 Route B	410,500	376,600	424,200	360,200	391,700	448,723	592,047	554,490	496,123	503,483	424,521	668,841	663,814
03800985 Laplata Line						331,500	451,000	420,200	371,000	382,600	325,500	446,700	426,900
03800990 LaPlata Line											331,846	518,199	268,549
													507,890
Total Consumption (cu ft)	2,695,277	2,210,766	2,562,976	2,175,001	2,295,692	2,007,761	2,746,606	2,521,336	2,223,107	2,168,905	2,237,588	3,386,160	3,348,549
TOTAL CONSUMPTION in GALLONS	20,160,672	16,536,530	19,171,060	16,269,007	17,171,776	15,018,052	20,544,613	18,859,593	16,628,840	16,223,409	16,737,158	25,328,477	25,047,147

Usage as % of Allowed	69.52%	57.02%	66.11%	56.10%	59.21%	51.79%	70.84%	65.03%	57.34%	55.94%	57.71%	87.34%	86.37%
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	8/1/06 to 08/28/06	8/29/06 to 9/28/06	9/29/06 to 10/27/06	10/28/06 to 11/28/06	11/29/06 to 12/27/2006	12/28/2006 1/30/2007	2/1/207 to 02/27/07	2/28/07 to 03/28/07	03/29/07 to 04/27/07	4/28/07 to 5/29/2007	05/30/07 to 6/28/2007
03800900 Cottage Gr & Illinois	0	0	0	0	0	0	0	0	0	0	0
03800920 Boundary & LaHarpe	6,400	7,190	6,450	7,380	8,840	6,550	6,100	6,230	6,470	6,740	5,720
03800925 Shepherd Ave	388,000	394,000	353,000	444,617	388,305	455,254	374,915	388,305	401,694	428,474	409,729
03800930 Radical Ridge Rd	220,986	197,373	185,060	223,789	182,230	221,837	247,346	246,507	210,590	257,595	261,828
03800940 Hwy 11 East	69,100	72,900	66,000	75,400	69,200	78,300	83,900	75,760	9,640	104,000	75,950
03800950 Rt P					52,250	45,060	40,910	41,980	42,782	45,634	42,782
03800960 W Missouri St	437,730	503,420	428,490	539,810	501,690	573,934	472,651	508,152	521,650	505,790	436,920
03800970 Lincoln & Benton Way	517,745	514,052	485,828	532,843	462,662	538,803	549,675	504,258	472,366	521,663	527,666
03800980 Route B	341,200	364,900	334,500	388,200	357,100	421,900	381,400	371,200	357,300	374,400	354,900
03800985 LaPlata Line	208,294	200,792	188,346	233,554	199,041	237,072	211,573	185,355	182,998	270,794	268,921
03800990 LaPlata Line	346,640	419,280	395,181	351,538	378,375	442,599	441,866	433,650	438,252	584,889	571,098
Total Consumption (cu ft)	2,536,095	2,673,907	2,442,855	2,797,131	2,599,693	3,021,309	2,810,336	2,761,397	2,643,742	3,099,979	2,955,514
TOTAL CONSUMPTION in GALLONS	18,969,991	20,000,824	18,272,555	20,922,540	19,445,704	22,599,391	21,021,313	20,655,250	19,775,190	23,187,843	22,107,245

Usage as % of Allowed	65.41%	68.97%	63.01%	72.15%	67.05%	77.93%	72.49%	71.22%	68.19%	79.96%	76.23%
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June 29, 2007

Mike Ayers
Manager-Eng. Des.
AT&T/Southwestern Bell Telephone
225 W. Coates
Moberly, Missouri 65270

Dear Mike,

The following is a listing of new construction in Kirksville for the period of June 1, 2007, through June 29, 2007:

Date: June 11, 2007
Owner: Frank Wayman
Use: Single-Family
Address: 1515 Queens Rd
Permit No.: 6814
Const. Co.: Howard Construction

Date: June 27, 2007
Owner: Frank Wayman
Use: Single-Family
Address: 501 Pear Tree Ln
Permit No.: 6822
Const. Co.: Howard Construction

Sincerely,

Laila Price
City of Kirksville
Codes/Inspections Assistant

Open House

STOP BY AND TAKE A TOUR!!!!!!

Sunday, July 15, 2007

1:00 to 6:00 p.m.

At

Heartland Wildlife Ranches

18503 State Highway V v

Ethel, Missouri 63539

660-486-3215---info@heartland-wildlife.com

Heartland wildlife is proud to announce that we are expanding our services beyond our big game hunts to welcome guests as a bed and breakfast. We are also hosting corporate retreats, anniversaries, family and class reunions, wedding rehearsal dinners and intimate weddings, just to name a few.

Come on over to our open house, enjoy some refreshments, see our new addition

ADAIR COUNTY HUMANE SOCIETY

P.O. Box 481

Kirkville, Missouri 63501

July 5, 2007

TO: Kirkville ~~Police Department~~ *City Manager*
FROM: Adair County Humane Society
RE: June Shelter Report

Euthanized (City)	Dogs	1 4
	Cats	2 8
	Puppies	1 0
	Kittens	2 9
Euthanized (Out of City)	Dogs	1 0
	Cats	8
	Puppies	1 3
	Kittens	1 5
Euthanized (Out of County)	Dogs	1 0
	Cats	1 7
	Puppies	2 3
	Kittens	2 0
Brought to Shelter Dead	Dogs	1
	Cats	2
	Kittens	0
	Others	1 6


Jackie Eaton, Treasurer