MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF KIRKSVILLE AND TRUMAN STATE UNIVERSITY FOR IMPROVEMENTS TO THE FRANKLIN STREET CORRIDOR FROM PATTERSON STREET NORTH THROUGH TRUMAN’S CAMPUS

This Memorandum of Understanding (hereinafter referred to as the “Agreement”) is entered into on this ______ day of __________, 2012, by the City of Kirksville (hereinafter “the City”) and Truman State University (hereinafter “the University”).

WHEREAS, the City and the University share a mutual interest in the success and well being of the Kirksville community; and

WHEREAS, the 1999 Downtown Improvement Plan and the 2004 Downtown Redevelopment Plan focus on establishing Franklin Street as a major entryway and linkage to the downtown area through Truman State University; and

WHEREAS, the University’s close proximity to the downtown area and its accessibility to current and future students is seen as an important component to Truman’s success in student recruitment and retention; and

WHEREAS, the City and the University desire to combine their resources to make improvements to the Franklin Street corridor, which are deemed to be mutually beneficial.

NOW, THEREFORE, in consideration of the above, the City and the University in good faith agree to work together to insure the completion of the Franklin Street Corridor Improvement Project as follows:

1. **The Project.** The project will consist of two phases: Phase 1 to include the west side of Franklin Street from Washington Street south to Normal Avenue including the electrical work outlined in 2C; and Phase 2 to include both the east and west sides of Franklin Street from Normal Avenue south to Patterson Street.

2. **Improvements.** The Improvements to the Franklin Street Corridor, (hereinafter referred to as the “Project”) includes three: streetscape, roadway and electrical.

   A. **Streetscape.** The Project will consist of the replacement of existing sidewalk with decorative broad walks including brick accents and street lights.

   B. **Roadway including Center Median.** Partial street reconstruction, profile milling and overlay with improved storm drainage and streetscape elements along the west side of Franklin Street from Jefferson Street to Normal Avenue and partial street reconstruction, profile milling and overlay with improved
storm drainage and a landscaped center median with irrigation within the existing right-of-way from Normal Avenue to Patterson Street.

C. **Electrical.** The electrical improvements of the Project will consist of the relocation of above ground electrical to below ground for that area on the west side of Franklin beginning north of the former Randolph Street intersection and continuing north to Pierce. The electrical work will be included in Phase 1.

3. **Responsibilities of the City.** The City will pay the costs of the streetscape and roadway improvements. Keeping the University informed of schedule and progress of the project.

4. **Responsibility of the University.** The University agrees to pay $120,000 to the City to cover the costs of the electrical improvements

5. **Project Completion.** Since the project will be completed in phases, the City will use its best efforts to complete the construction of Phase 1 by mid June 2013 and Phase 2 by August 2014.

6. **Applicable Laws.** The Parties understand that certain laws and regulations apply to gravesites and agree to follow all applicable laws and regulations.

7. **Modification of the Agreement.** Any changes, corrections or additions to this Agreement shall be in writing and signed by all necessary parties and setting forth therein the proposed change, correction or addition.

8. **Governance and Approvals.** The governing bodies of each party have certain review and approval authority for endeavors such as the Project. The Parties acknowledge that certain formal review and approval processes may need to be followed by the Parties at certain stages of the Project and approvals may be at the sole discretion of the governing bodies. For the City, the governing body is the Kirksville City Council. For the University, the governing body is the Board of Governors of Truman State University.

**WHEREFORE,** the Parties have executed this Agreement the date set forth above.

**Truman State University**

By ______________________________

Dr. Troy Paino

Title President

City of Kirksville

By ______________________________

Richard L. Detweiler

Title Mayor