

COUNCIL & STAFF PRESENT:

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| Martha Rowe | Mayor |
| Tim Crist | Mayor Pro Tem |
| Ralph Cupelli | Councilmember |
| Howard Hickman | City Attorney |
| Mari E. Macomber | City Manager |
| Vickie Brumbaugh | City Clerk |
| Steve Bell | Recreation Director |
| John Buckwalter | Public Works Director |
| Paul Frazier | Code Administrator |
| Laura Guy | Finance Director |
| Jim Hughes | Police Chief |
| Kris McKim | Assistant City Manager |

Absent:

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| Jeff Newton | Councilmember |
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The City Council of the City of Kirksville, Missouri, met in a Regular Session on Monday, March 6, 2006, at 7:00 p.m. in the City Hall Council Chambers.

INVOCATION

Father Pat Shortt, Mary Immaculate Church, gave the Invocation

PLEDGE

The Mayor and Council led the Pledge of Allegiance.

MINUTES

Councilmember Cupelli moved to approve the minutes of the regular session of February 6, and the special session of February 13, 2006, as distributed; seconded by Mayor Pro Tem Crist. The motion carried by the following vote: Mayor Rowe, aye; Mayor Pro Tem Crist, aye; Councilmember Cupelli, aye; Councilmember Newton, absent. Nays, none.

ORDER OF AGENDA

No changes.

INFORMATION PRESENTATION

OFFICIAL PROCLAMATION

WHEREAS, the Kirksville R-III Tigers Wrestling Team has claimed the District Tournament Championship; and

WHEREAS, the Kirksville R-III Tigers Wrestling Team finished with 184 team points at the District Tournament, topping Marshall's 174 points; and

WHEREAS, the Kirksville R-III Tigers Wrestling Team is celebrating its first District Tournament Championship in 25 years.

NOW, THEREFORE, I, Martha Rowe, Mayor of the City of Kirksville, Missouri, do hereby proclaim an opportunity for all Kirksville citizens to recognize and express their pride and

appreciation for the hard work, dedication and supreme achievements to the Kirksville R-III Tigers Wrestling Team:

Seniors: Dillon Griffel
Cyle Kelly
Ben Western

Coaches: Patrick Darby
Errol Hooper

Juniors: Jesse Alter
Tim Kearns
Austin Laudwig
Thomas Redmon
Logan Schmitz

Managers: Alene Gremaud
Whitney Lewellen
Heather Martinez

Sophomore: James Alter
Nathan Berry
Tom Crowe
Zak Dewitt
Mark Schulte
Derryn Stiner

Freshmen: Joe Blesz
Bradley Boyd
Kenny Floyd
Jared Fox
Tad French
Joshua Harrington
Michael Osborn
Jacob Peters
Colton Schmitz
Jeremiah Smith

Mayor Rowe presented a framed proclamation to members of the Kirksville R-III High School Tigers Wrestling Team and coaches who recently acquired District Tournament Championship.

ACTION PRESENTATIONS

BILL NO. 2006-07

ORDINANCE NO. 11747

AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, PROHIBITING DOGS AT THE CITY'S NORTH PARK FACILITY AND PROVIDING FOR A PENALTY FOR VIOLATION THEREOF.

Councilmember Cupelli moved to adopt Bill No. 2006-07 on first reading; seconded by Mayor Pro Tem Crist.

Steve Bell reported that after the 2005 summer baseball/softball program, parents complained about dogs at North Park regarding sanitation and safety. The Lakes, Parks & Recreation Commission recommends banning dogs from the North Park property. City Attorney Hickman wrote the ordinance.

The motion carried by the following vote: Mayor Rowe, aye; Mayor Pro Tem Crist, aye; Councilmember Cupelli, aye; Councilmember Newton, absent. Nays, none.

BILL NO. 2006-08

RESOLUTION NO. R3-6-533

A RESOLUTION OF THE CITY OF KIRKSVILLE, MISSOURI AUTHORIZING THE City Manager to execute an STP-URBAN PROGRAM AGREEMENT with the Missouri

Highways and Transportation Commission to obligate Surface Transportation Program (STP) funds for the realignment and reconstruction of Osteopathy Street from Jefferson to Gardner Streets in Kirksville.

WHEREAS, the City Council of the City of Kirksville, Missouri, hereby desires to realign and reconstruct Osteopathy Street from Jefferson Street to Gardner Street in the City of Kirksville, and

WHEREAS, funds are available through Non-Attributable Federal Aid Funds regulated by the State STP program and through the City's Transportation Sales Tax program, and

WHEREAS, the City desires to utilize these funds on this project, during the 2006 construction season.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirksville as follows:

The City Manager is hereby directed and authorized to enter into an STP-Urban Program agreement with the Missouri Highways and Transportation Commission for the purpose of obligating funds for the 2006 realignment and reconstruction of Osteopathy Street from Jefferson Street to Gardner Streets in the City of Kirksville.

Councilmember Cupelli moved to approve Bill No. 2006-08; seconded by Mayor Pro Tem Crist.

John Buckwalter explained this is one of the steps to be done before bids can be advertised for construction of Osteopathy Street. The engineer's estimate for the project is \$1,149,340, funded by 80% from the State and 20% from the City. The city budgeted \$260,000 for this project from the Transportation Sales Tax.

The motion carried by the following vote: Mayor Rowe, aye; Mayor Pro Tem Crist, aye; Councilmember Cupelli, aye; Councilmember Newton, absent. Nays, none.

Agreement with Bucher, Willis & Ratliff for Airport Improvements

Mayor Pro Tem Crist moved to authorize the City Manager to execute an agreement with Bucher, Willis & Ratliff for engineering services for development of plans, specs and bidding documents for improvements to the Kirksville Regional Airport; seconded by Councilmember Cupelli.

John Buckwalter reported there are three components: \$12,600 for design services; \$4,900 for construction phase services; and \$25,000 for planning and other services related to the update of the Airport Layout Plan.

The motion carried by the following vote: Mayor Rowe, aye; Mayor Pro Tem Crist, aye; Councilmember Cupelli, aye; Councilmember Newton, absent. Nays, none.

Agreement with Mihalevich Construction for Jamison Street Reconstruction

Councilmember Cupelli moved to authorize the City Manager to enter into an agreement with Mihalevich Concrete Construction for the reconstruction of Jamison Street from Highway 6 to Hamilton Street; seconded by Mayor Pro Tem Crist.

John Buckwalter reported the contract will cover the installation of curb and gutter, improvement of storm drainage and widening of Jamison from Highway 6 north to Hamilton Street. Mihalevich's bid was \$535,937.08 that will be charged to the Transportation Sales Tax Program.

The motion carried by the following vote: Mayor Rowe, aye; Mayor Pro Tem Crist, aye; Councilmember Cupelli, aye; Councilmember Newton, absent. Nays, none.

Variance of Sign for Ruby Tuesday's Restaurant

Mayor Pro Tem Crist moved to approve a variance to the size of a proposed pylon sign to serve Ruby Tuesday's and North Realty Group; seconded by Councilmember Cupelli.

Paul Frazier explained that Southwest Signs requested a variance to allow the construction of a free standing pylon sign that would provide identification and advertisement for Ruby Tuesday's, and include the shopping center sign for Retail Realty. Retail Realty has a sign that was erected on Ruby Tuesday's property. The variance would allow for the removal of the existing sign and permit only one sign in the area to serve both entities.

The motion carried by the following vote: Mayor Rowe, aye; Mayor Pro Tem Crist, aye; Councilmember Cupelli, aye; Councilmember Newton, absent. Nays, none.

Ammunition Bid

Councilmember Cupelli moved to approve the purchase of ammunition from Gulf States Distributing; seconded by Mayor Pro Tem Crist.

Jim Hughes reported this is a re-bid because Gulf States did not submit a bid on the first bidding, and the city has purchased from this company in the past due to their low bidding. Ammunition is of good quality.

The motion carried by the following vote: Mayor Rowe, aye; Mayor Pro Tem Crist, aye; Councilmember Cupelli, aye; Councilmember Newton, absent. Nays, none.

Street Use for Red Barn Arts & Crafts Festival

Councilmember Cupelli moved to approve the use of city streets for the Red Barn Arts and Crafts Festival on October 7; seconded by Mayor Pro Tem Crist. The motion carried by the following vote: Mayor Rowe, aye; Mayor Pro Tem Crist, aye; Councilmember Cupelli, aye; Councilmember Newton, absent. Nays, none.

Committee/Board Appointment

Mayor Pro Tem Crist moved to appoint John Rowe to the Airport and Transportation Commission; seconded by Councilmember Cupelli. The motion carried by the following vote: Mayor Rowe, aye; Mayor Pro Tem Crist, aye; Councilmember Cupelli, aye; Councilmember Newton, absent. Nays, none.

Liquor License – Aldi's

Councilmember Cupelli moved to approve a Sunday Sales liquor license to Aldi's; seconded by Mayor Pro Tem Crist.

Laura Guy reported that Aldi's will start staying open on Sunday's, effective April 2, and has applied for a Sunday Sales Liquor license.

The motion carried by the following vote: Mayor Rowe, aye; Mayor Pro Tem Crist, aye; Councilmember Cupelli, aye; Councilmember Newton, absent. Nays, none.

Second Reading

BILL NO. 2006-07

ORDINANCE NO. 11747

AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, PROHIBITING DOGS AT THE CITY'S NORTH PARK FACILITY AND PROVIDING FOR A PENALTY FOR VIOLATION THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KIRKSVILLE, MISSOURI AS FOLLOWS:

SECTION 1. That all dogs shall be prohibited from the grounds of the City's North Park Facility except for dog guides included under "service animals" as defined by and provided for in the Americans with Disabilities Act, Title III, Section 36.104.

SECTION 2. That all persons violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in a sum of not less than one dollar (\$1.00) nor more than one hundred dollars (\$100.00) or by imprisonment for a term of not more than thirty (30) days or by both said fine and imprisonment.

SECTION 3. That this Ordinance shall be in full force and effect from and after the date of its passage.

Councilmember Crist moved to adopt Bill No. 2006-07 on second reading; seconded by Councilmember Cupelli. The motion carried by the following vote: Mayor Rowe, aye; Mayor Pro Tem Crist, aye; Councilmember Cupelli, aye; Councilmember Newton, absent. Nays, none.

Adjournment

There being no further business to come before the Council, Mayor Rowe adjourned the meeting at 7:33 p.m.

Vickie Brumbaugh, CMC/MRCC
City Clerk