

AGENDA  
CITY COUNCIL MEETING  
Monday, January 10, 2011  
7:30 P.M.

1. Call to Order
2. Minutes of December 27, 2010 meeting

Old Business

3. Bill No. 11-1184: Ordinance vacating portions of Riley Street and Howard Avenue
4. Resolution: Contract for 2011 Transit Grant

New Business

5. Visitors (All visitors wishing to address the Council must complete an information card and submit it to the City Clerk before the meeting begins)
6. 2011 Liquor License Applications: Casey's General Store  
Club Flex  
Ramey Supermarket  
G & G Package Liquor  
M & H Package Liquor
7. Resolution: 2011 Contract with New Madrid Historical Museum
8. Resolution: 2011 Contract with Higginson School Historic Site
9. Resolution: 2011 Contract with New Madrid Chamber of Commerce
10. AECI Statement of Revenues and Expenditures, November 30, 2010
11. Discussion: Water Pump Station to New Madrid Public Water Supply District #2
12. City Administrator's Report

CLOSED SESSION, if requested, relative to:

- A. Legal actions, causes of action, or litigation (RSMo 610.021.1)
  - B. Leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration there for (RSMo 610.021.2)
  - C. Hiring, firing, disciplining or promoting or particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3)
  - D. Preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9)
  - E. Sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12)
13. Additional items, if requested.

AN ORDINANCE VACATING RILEY STREET FROM MITCHELL AVE. TO KINGSHIGHWAY AND HOWARD AVENUE FROM THE ALLEY BETWEEN SCOTT STREET AND RILEY STREET TO RILEY STREET IN N.B. BYRNES ADDITION TO THE CITY OF NEW MADRID, MISSOURI

WHEREAS, The Board of Aldermen of the City of New Madrid, Missouri is authorized under the provisions of Section 88.673 Revised Statutes of the State of Missouri (1939) as a Fourth Class City to vacate streets; and

WHEREAS, Riley Street and Howard Avenue were accepted as City Streets when N. B. Byrnes Addition was dedicated in May, 1875 and filed for record in the Recorder's Office of New Madrid County, Missouri in Plat Book 1 at Page 3 (Slide 3); and

WHEREAS, Riley Street from Mitchell Ave. to Kingshighway and Howard Avenue from the alley located between Scott Street and Riley Street to Riley Street have not been maintained, opened or used as a public street for a period of over 100 years when the St. Louis, Arkansas and Texas Railroad was formed and constructed in New Madrid and they serve no useful purpose of the citizens of the City of New Madrid; and

WHEREAS, the City of New Madrid has utilized the right-of-way provided by Riley Street and the Railroad Right-of-Way for utility right-of-way and not as a street or alley; and

WHEREAS, the sections of Riley Street and Howard Avenue to be vacated have no established grade; and

WHEREAS, the Board of Aldermen has deemed the vacation of Riley Street as a public street expedient and necessary; and

WHEREAS, the vacation of Riley Street from Mitchell Avenue shall be subject to the City of New Madrid retaining its rights to operate, maintain, repair or replace any utility lines for the transmission of electricity water or sewage or other municipal purpose, above, across and through the area of Riley Street and otherwise continue to use the property for municipal utility purposes in a manner similar to those rights in other and newer subdivisions to the City,

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW MADRID, MISSOURI AS FOLLOWS:

1. That Riley Street from Mitchell Avenue to Kingshighway and Howard Avenue from the alley located between Scott Street and Riley Street to Riley Street is hereby vacated pursuant to Section 88.673 R.S.Mo (1939) and shall revert to the owners of the abutting lots of N. B. Byrnes Addition and subject to the taxation as all other property in the City, except that the City of New Madrid retains a non-exclusive easement for Municipal Utility Purposes in the area

formally occupied by Riley Street, being a Thirty foot (30') strip bounded on the North by the right of way of the abandoned St. Louis-Southwestern Railroad and on the south by Blocks 2 and 3 of the N. B. Byrnes Addition to the City of New Madrid, Missouri.

2. That said easement shall include the right of the City to forever erect, construct, install, use, operate, maintain, repair or replace any utility lines or pipelines for the transmission of electricity, water or sewage, and any other conduits for any other public authority above, across or through the Thirty foot (30') strip of land formally used as Riley Street, together with such rights of entry upon and passage over on such areas as may be necessary or useful for the maintenance, cleaning and repairs of any utilities.

READ TWO TIMES AND DULY PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF JANUARY, 2011.

APPROVED:

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DONNIE BROWN, MAYOR

ATTEST:

\_\_\_\_\_  
MARIAN B. BOCK, CITY CLERK

APPROVED AS TO FORM:

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LYNN N. BOCK,  
CITY ATTORNEY