

November 17, 2008

The Board of Aldermen, City of Kearney, Missouri, met in regular session at Kearney City Hall, 100 East Washington, November 17, 2008 at 6:30 P.M. with Mayor Dane presiding. Members present were Jeff Couchman, Alan Gustin, Jenny Hayes and Dan Holt. Staff members present were Jim Eldridge, Shirley Zimmerman and Eric Marshall.

The Mayor opened the meeting with the Pledge of Allegiance.

CONSENT AGENDA

The following items were submitted for the Board of Aldermen to approve:

- Minutes for November 3rd meeting
- Bills presented for payment
- Decker Proposal for Heather Circle
- 19th Street Street lights

Staff said when doing the asphalt overlay on Heather Circle it was intended to utilize wedging to eliminate a long time water ponding situation on Heather Circle. As the asphalt installation was underway, it became obvious the wedging idea would be too extreme.

The ponding is now worse than ever and needs immediate attention. Decker Construction has presented a proposal for \$14,388 to install a curb inlet and 200 feet of twelve feet piping to take the water East to the pond. Additional costs will be incurred for rock and yard and driveway repairs to the Dougherty's at 1303 Heather. They have given us the necessary storm easement needed to carry the water to the pond.

Staff said Platte Clay Electric recently presented the City with a check for \$65,630 in refunds for street light overcharges on 33 Highway. It is from this new revenue that we would like to budget \$20,000 for the offsetting revenue source. It is also recommended that the balance of the revenue (\$45,430) be budgeted to Street Maintenance as our 2008 repairs exceed the current budget amount.

Alderman Couchman asked if all the easements are in place for the curb inlets. Staff said we only needed to secure the one from the Doughertys.

Alderman Holt asked if we will fix the Dougherty's driveway to where water doesn't run down it. Staff said this should correct that problem.

Alderman Gustin asked if we would be doing seeding and mulching. Staff said we are budgeting extra money which would cover that. We will put their yard back to its original condition.

A motion was made by Alderman Holt and seconded by Alderwoman Hayes to increase the Storm Maintenance budget by \$20,000 and increase the Street Maintenance budget by \$45,430 and to approve the Decker Proposal for \$14,388 for construction of a curb inlet and piping on Heather Circle. The motion carried unanimously.

CONSENT AGENDA-CONT

Staff said with the PCEC adjustment in street light billing the City should end up with a \$20,000 surplus in the Street Department electric budget. Therefore, we are asking PCEC to place seventeen, 240 watt lights on the existing poles on 19th Street to better light that area.

A motion was made by Alderman Holt and seconded by Alderwoman Hayes to approve the consent agenda as presented. The motion carried unanimously.

MAYOR'S REMARKS

SCHOOL BOARD Mayor Dane said he and Staff have discussed using the School District site for the Aquatic Center with Dr. Belcher, Superintendent of Kearney School District. Dr. Belcher has invited them to meet with the School Board on November 20th.

APRIL ELECTION Mayor Dane said in the upcoming election in April, Alderman Gustin and Alderman Couchman's terms will expire. He encouraged both of them to sign up again.

BILL ELY AND MICHELE DOWNEY, RECOGNITION FOR SOCCER LEAUGE

Mayor Dane said Bill Ely and Michele Downey have been involved in Kearney Holt Soccer for eleven years and both have headed the organization for the past seven summer and fall seasons. Due to the fact they no longer have children at home they have stepped down from that position.

Mayor Dane said they have had approximately 750 youth each season in league play. They have provided them with sound fundamentals, teaching and promoting sportsmanship for the players, coaches and fans alike. They have been wonderful to work with the City and protect our soccer fields. He said we would now like to welcome them to join in our efforts in other areas of the City.

Eric Marshall, Park Director, said they have been a wonderful asset to the community. He said they have developed the Kearney Holt Soccer League into a well rounded program. They have been very careful of the use of the fields and have developed great sportsmanship.

Jim Eldridge, City Administrator, said we used to have lots of problems with the soccer clubs. He said they have professionalized the organization, developed a web site and handled all the problems before they developed into big issues.

Mayor Dane presented Mr. Ely and Ms. Downey with shirts and season passes to the Amphitheater.

PUBLIC REQUESTS & PETITIONS

BILL SHULL, MANAGING OFFICER FOR SHELL FOOD MART LIQUOR LICENSE

Mayor Dane said we tabled the application for Bill Shull to be approved as the managing officer for Shell Food Mart from the last meeting because Mr. Shull wasn't in attendance.

BILL SHULL, MANAGING OFFICER FOR SHELL FOOD MART LIQUOR LICENSE

Alderman Couchman asked Mr. Shull how much time he would spend at the store on a daily basis. He said he would stop in each morning for a few minutes and make sure everything was alright. He said this wouldn't create any problem for him to do that each day.

Alderwoman Hayes asked just what the managing officer's duties are. He said this person answers questions in regard to liquor issues and helps resolve problems. He said he has already had meetings with the store manager and employees and they are working on being sure everyone is handling liquor sales properly.

Alderman Gustin asked if this is normal to do this, this way. Mr. Shull said it is becoming a common practice to appoint someone who understands the legal issues and is a member of the community and wouldn't be moving. He said this prevents having to go through this process often and especially is there is a change in employees.

Alderwoman Hayes asked who is liable in the event of problems. Mr. Shull said the Corporation actually has the license and they are responsible as well as the managing officer of the license.

A motion was made by Alderman Gustin and seconded by Alderwoman Hayes to approve the appointment of Bill Shull as the Managing Officer of the liquor license for Shell Food Mart. The motion carried unanimously.

ROCK INN BED AND BREAKFAST, 400 SOUTH JEFFERSON, PARKING LOT

Staff presented a request from Doug and Cathy Rock, Rock Inn Bed and Breakfast, 400 South Jefferson, to delay paving of their parking lot until the Spring due to present weather conditions.

David Pavlich said they want to expand the business to have a small deli and café, which requires more parking. They want to use the existing hard surface on the North side of the business and have the parking area on the West side of the building be gravel until Spring.

Alderman Holt asked if they had removed the part of the garage on the West side where this parking would be. Staff said that has been removed.

Doug Rock said they have been in the sausage business for the past thirty five years. They want to have a small deli that would be walk in/carry out and then have a small café that could seat thirty people.

Alderman Gustin asked about the sign on the plans. Staff said for now they are simply going to reface the present sign.

Mayor Dane asked if the request has a specific date or simply says Spring. Staff said they must have it done by May 1st or their City license would be revoked.

Alderman Gustin asked how much it would cost to asphalt the parking area. Staff said it would cost between \$15,000 and \$20,000.

ROCK INN BED AND BREAKFAST, 400 SOUTH JEFFERSON, PARKING LOT

A motion was made by Alderman Couchman and seconded by Alderwoman Hayes to approve the request from Doug and Cathy Rock, Rock Inn Bed and Breakfast, 400 South Jefferson, to extend the time to pave the parking lot until May 1st. The motion carried unanimously.

BOY SCOUTS Mayor Dane said he wanted to welcome several Boy Scouts who are in attendance tonight. They are working on their communication badges.

NEW BUSINESS

IDENTITY THEFT PROGRAM A Resolution, adopting an Identify Theft Program, was **RESOLUTION NO. 25-2008** presented and read by Title only.

Staff said the Federal Trade Commission has adopted regulations concerning identity theft protection that covers utilities. Staff said we are using the Missouri model program with some minor modifications.

Staff said the City keeps limited information on its customers and has long had a policy that water customer information is confidential and covered by the privacy act. We don't even give out phone numbers other than what is published in the phone book.

With increased efforts to improve bad collections, we now collect Social Security numbers and birthdates. This information is not printed on any reports and has limited access by City employees.

Alderman Couchman asked if we had considered starting to take credit card payments. Staff said we have looked at it but never really pursued the process. Staff said we can check into it though.

Alderman Gustin asked if this would affect us using Tek Collect. Staff said they are a third party contractor and they would be held accountable.

Alderman Gustin asked if there were other areas that would be affected by this. Staff said at this time this is the only one required by law.

A motion was made by Alderman Gustin and seconded by Alderman Couchman to approve the Resolution concerning identity theft protection that covers utilities. The motion carried unanimously.

ALDERMEN DISCUSSION

ALDERMAN COUCHMAN Alderman Couchman asked if the sewer backup mentioned in a report by Jay Bettis concerning Clark Street has been taken care of. Staff said Mr. Bettis will be coming to the Board of Aldermen with putting in a backflow valve to help the situation.

ALDERMAN HOLT Alderman Holt asked what the status was on the senior apartment project on Washington Street and the Nutrition Center on North Jefferson Street.

ALDERMAN HOLT-CONT Staff said there were public hearings on the Eastwood Apartments and we should hear the results by the middle of December.

Staff said they are starting construction on the Nutrition Center and it should be open by March. They want to complete the construction before the building is occupied.

ALDERMAN GUSTIN Alderman Gustin asked Staff to have the Street Department look at a couple of low spots in Meadowbrook Drive. He said it appears like a sewer line crossing or something similar is settling.

ADJOURNMENT There being no further business on the agenda, a motion was made by Alderman Couchman and seconded by Alderwoman Hayes to adjourn. The motion carried unanimously.

The following bills were presented for payment at the November 17, 2008 meeting:

ORG/VENDOR NAME	WARRANT: 111708	AMOUNT
* Cap Improv Sales Tax Exp.		
THOMPSON MOWING, INC.		200.00
* City Hall Expenses		
BIG V SUPERMARKET		19.91
CINTAS CORPORATION #690		171.10
CORPORATE EXPRESS		79.43
BILLY R DANE		86.40
DE LAGE LANDEN FINANCIAL SERVICES		60.00
DEFFENBAUGH INDUSTRIES		7,349.00
275-FAIRPOINT COMMUNICATIONS		436.08
R. BRIAN HALL, PC		3,555.00
MISSOURI GAS ENERGY		180.80
MO DEPT OF REVENUE		35.00
NPG NEWSPAPERS INC		358.51
GERRI SPENCER		62.50
TCOM INC		300.00
TEK-COLLECT		120.28
THOMPSON MOWING, INC.		400.00
CARD SERVICES (VISA)		37.00
* Community Development Dir		
AMERICAN PRIDE EXPRESS LUBE		29.95
CINTAS CORPORATION #690		32.08
CITY OF KEARNEY-PETY CSH		25.00
DE LAGE LANDEN FINANCIAL SERVICES		31.00
PORTER'S SERVICE		17.00
* Court & Legal Expenses		
LARRY E BUTCHER		950.00
R. BRIAN HALL, PC		1,275.00
LODGE OF FOUR SEASONS		132.76
RAY COUNTY SHERIFF/TREASURER		1,345.00
* General Fund Balance Acct		
MO DEPT OF PUBLIC SAFETY		49.00
MO DEPT OF REVENUE-CVC		349.13
SYNERGY SERVICES INC		98.00

* Park Fund Expenses	
ARROW STAGE LINES	605.00
BIG V SUPERMARKET	71.05
CINTAS CORPORATION #690	14.96
DEFFENBAUGH INDUSTRIES	84.00
JEFF GARTON	885.00
MEGAN GLAMANN	135.00
KEARNEY LAWN &	51.52
KEARNEY FEED & SUPPLY	31.00
MARSHALL TREES & NURSERY	880.00
MO DIVISION OF	657.90
NPG NEWSPAPERS INC	456.54
O'REILLY AUTOMOTIVE INC	15.68
PORTER'S SERVICE	1,700.07
POWELL GARDENS INC	50.00
TAYLOR LEE SYKES	110.00
THOMPSON MOWING, INC.	375.00
CARD SERVICES (VISA)	29.00
YATES ELECTRIC CO.	1,121.00
* Park Special Projects	
BIG V SUPERMARKET	112.29
MISSOURI DEPT OF REVENUE	70.00
CARD SERVICES (VISA)	260.00
* Police Dept. Expenses	
ALTERATIONS AND	62.50
THE ARMORY	715.05
BIG V SUPERMARKET	61.82
BOARD OF POLICE	43.16
THOMAS R. CAREY	47.33
CENTRAL POWER SYSTEMS & SERVICE	933.43
COMMENCO, INC.	92.92
DEFFENBAUGH INDUSTRIES	20.00
275-FAIRPOINT COMMUNICATIONS	578.06
GALLS INCORPORATED	493.81
GREAT GUNS	642.17
HUNTS CAR CARE CENTER	221.06
KWIK LUBE	29.95
MISSOURI GAS ENERGY	81.21
MISSOURI PEACE OFFICERS	60.00
MO DIVISION OF	105.03
O'REILLY AUTOMOTIVE INC	46.42
SHELL	1,027.53
* Pooled Cash	
FAMILY SUPPORT	1,224.00
ING FINANCIAL ADVISERS,LLC	2,181.33
* Sewer Plant Expenses	
CENTRAL POWER SYSTEMS & SERVICE	432.04
DEFFENBAUGH INDUSTRIES	20.00
MAYES PLUMBING, INC	500.00
MEYER LABORATORY, INC.	1,821.10
MIDWEST LABORATORIES INC	340.04
THOMPSON MOWING, INC.	55.00
THE UPS STORE	100.82
YATES ELECTRIC CO.	2,064.17
* Street Department Expense	
CINTAS CORPORATION #690	126.30
CITY OF KEARNEY-PETY CSH	25.00

DEFFENBAUGH INDUSTRIES	30.00
DEFFENBAUGH DISPOSAL	875.00
275-FAIRPOINT COMMUNICATIONS	49.73
FERRELLGAS, INC.	36.00
KEARNEY FEED & SUPPLY	22.00
LONG VET CLINIC	120.00
NORTH COUNTRY FORD	54.05
O'REILLY AUTOMOTIVE INC	30.92
PERFORMANCE TRUCK AND SUV	12.99
PLATTE CLAY ELECTRIC	6,190.05
PORTER'S SERVICE	878.06
WESTERN FIRST AID & SAFETY	22.00
* W & S Admin. Expenses	
BLUFF'S EDGE ENVIRONMENTAL	350.00
CINTAS CORPORATION #690	101.52
CITY OF KEARNEY-PETY CSH	50.00
CORPORATE EXPRESS	33.88
CROSSROADS CHEVROLET	64.00
DATA POINTE SOLUTIONS, INC	300.00
EMBARQ	162.51
275-FAIRPOINT COMMUNICATIONS	125.43
KWIK LUBE	37.15
MISSOURI SALES TAX	2,021.69
NPG NEWSPAPERS INC	45.16
O'REILLY AUTOMOTIVE INC	56.44
PITNEY BOWES	2,000.00
PORTER'S SERVICE	97.66
* Water Cap. Imp. Expenses	
KINCAID CONSTRUCTION INC	106,822.35
* Water Plant Expenses	
CENTRAL POWER SYSTEMS & SERVICE	220.16
CINTAS CORPORATION #690	26.00
DEFFENBAUGH INDUSTRIES	20.00
HACH CHEMICAL	1,685.01
KCMO WATER SERVICES	13,370.22
KEARNEY FEED & SUPPLY	4.00
MISSOURI GAS ENERGY	347.45
MISSOURI ONE CALL SYSTEM, INC.	129.60
THOMPSON MOWING, INC.	60.00
THE UPS STORE	64.02
WEST KEARNEY WINNELSON	1,429.40
WESTERN FIRST AID & SAFETY	67.50
YATES ELECTRIC CO.	1,430.75

TOTAL	179,093.89

APPROVED: _____ ATTEST: _____
 Billy R. Dane, Mayor Joan H. Updike, City Clerk

