

March 2, 2009

The Board of Aldermen, City of Kearney, Missouri, met in regular session at Kearney City Hall, 100 East Washington, March 2, 2009 at 6:30 P.M. with Board President Alan Gustin presiding. Members present were Jeff Couchman and Jenny Hayes. Mayor Dane and Dan Holt were absent. Staff members present were Jim Eldridge, Shirley Zimmerman, David Pavlich and Jay Bettis.

The Board President opened the meeting with the Pledge of Allegiance.

CONSENT AGENDA

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

- Minutes for February 16th meeting
- Bills presented for payment
- 5 ½ HP Compactor, Street Department from Kearney Lawn & Outdoor Equipment, \$1,918.80
- VFW Canopy Waiver -\$30 Fee

A motion was made by Alderman Couchman and seconded by Alderwoman Hayes to approve the Consent Agenda as presented. The motion carried unanimously.

PUBLIC REQUESTS & PETITIONS

KEARNEY R-1 SCHOOL DISTRICT ELEMENTARY BUILDING PROJECT COMMERCIAL SITE PLAN APPROVAL AND CONSIDERATION OF FEE WAIVER

Staff presented an application from Kearney School District for a site plan approval to construct an approximately 11,600 square foot building addition on the South end of the elementary school, located at 902 South Jefferson and to relocate a portion of the existing drive to accommodate the building addition.

Staff said the Planning and Zoning Commission unanimously recommended approval of the application at their February 9th meeting. Staff said they have met all Staff comments.

David Contag, DLR Group, presented exterior drawings of the building, which showed the additions and changes being made. He said they will add canopies to the entrances and they will be purple in color.

Jim Eldridge asked if they would be replacing the windows in the old parts of the building to make the building more energy efficient. Mr. Contag said he was unsure about that. He said the School would have to answer that question.

Alderman Gustin asked if they would be removing the old kitchen. Mr. Contag said they would take that all out and it would be remodeled for storage and more office space. He said the coolers will be at the new kitchen and be inside the building. He said the trash dumpster would be moved from the North end of the property and would be enclosed at the South end.

**KEARNEY R-1 SCHOOL DISTRICT ELEMENTARY BUILDING PROJECT
COMMERCIAL SITE PLAN APPROVAL AND CONSIDERATION OF FEE WAIVER**

Alderman Gustin asked if they would be losing any parking spaces. Mr. Contag said no.

Alderman Couchman asked if they would be adding more parking spaces. Staff said they aren't adding more staff or students at the building so they don't need to make any changes in regard to parking. He said by moving the trash dumpster they might add a space or two there.

Alderwoman Hayes asked if the pick up and drop off of students would stay the same. Mr. Contag said they don't plan on making any changes to that.

Alderman Gustin asked if the turn radius of the curve at the South end is too sharp. Mr. Contag said it was tested for buses and delivery trucks and passed all the tests.

Alderman Gustin asked if the rain garden area could be changed to make the radius of the road better. Staff said we will have them recheck the turning radius and give us a report. If it does appear to be problem they could shorten the rain garden.

Alderman Gustin said we paid for a road to fix the traffic issue there and we don't want to start causing a problem again with cars backing up on 33 Highway.

Alderman Couchman said the principal of the building usually sets up dismissal of students. We just want to make sure and convey the message to him as well as Randy Smith of the School District that we don't want traffic to become an issue again.

David Contag said the School District has said if it starts to become a problem they can move the drop off point on up to the North End. They are going to stage the children in the common area in the South end of the building so they would prefer the students to be dropped off in that area if possible.

A motion was made by Alderman Couchman and seconded by Alderwoman Hayes to approve the application from Kearney School District for a site plan approval to construct an approximately 11,600 square foot building addition on the South end of the elementary school, located at 902 South Jefferson and to relocate a portion of the existing drive to accommodate the building addition and waive the building fees of \$4,640. The motion carried unanimously.

KEITH PIERCY ABBY'S FROZEN CUSTARD GREASE TRAP VARIANCE REQUEST

Staff presented a request from Keith Piercy, Abby's Frozen Custard at 700 North Country Avenue, for a variance to install a below the sink grease trap so they can re-open the restaurant to include the sale of burgers and fries.

Staff presented a memo dated February 27, 2009 from Jay Bettis, Water/Wastewater Superintendent, saying he didn't recommend the below the sink grease traps referred to as a 20/40 unit. These units have a 20 GPM flow and forty pounds of solid retention. He said the City has set precedence in the last several months of requiring a sand filter type grease trap with

KEITH PIERCY ABBY'S FROZEN CUSTARD GREASE TRAP VARIANCE REQUEST

a 1500 gallon capacity. He said we just made the Rock Inn Deli and the KADC Senior Center put in this type of system.

Keith Piercy, owner of Abby's Frozen Custard, said with the plumbing already in his building, it would be cost prohibitive for him to convert to this type of system. He said he would have to cut the asphalt and the concrete wall to do as the City wants. He said he doesn't even know if he can match the brick because it was a special color brick.

Mr. Piercy said it will cost him \$30,000 to \$40,000 for the different equipment he will need to start selling burgers and fries. He said the building has been setting with no income but he has still had to continue to pay taxes, etc.

Mr. Piercy said if the problem with the 20/40 unit is grease entering the sewer system, it is due to not maintaining the system. He said he would maintain his system and clean it frequently.

Jay Bettis said he is sympathetic to Mr. Piercy and the cost factor. He said we do have problems on the West side of the Interstate with grease now so we have to be careful about what we allow to go in.

Mr. Bettis said he and David Pavlich are working on changing our ordinance to where we can make sure people clean the grease traps properly. At the present time, we can't inspect them unless a problem arises.

Mr. Bettis said he just made KADC put in the sand filter type of grease trap at the Senior Center and it cost approximately \$3500. He said the 20/40 isn't good but he is willing to try to work with Mr. Piercy and come up with a reasonable solution.

Mr. Piercy asked if they have to maintain the sand filter type of grease trap. Mr. Bettis said yes they do. He said the difference though is that the small unit will only take three to four months to clog up. He said the sand filter type of traps will take years to clog up.

Alderman Hayes asked if we had just started requiring these sand filter traps. Mr. Bettis said no that we have required them for awhile. He said Hunan Garden has a floor unit which causes problems.

Mr. Piercy said the 20/40 unit will work fine if properly maintained and he intends to maintain it properly.

Alderman Hayes asked what the cost difference would be. Mr. Piercy said he could get a 20/40 unit for approximately \$500.

Mr. Bettis said we just made Rock Inn and KADC do the sand filter type and they had to go through concrete, etc.

KEITH PIERCY ABBY'S FROZEN CUSTARD GREASE TRAP VARIANCE REQUEST

Alderman Gustin asked if the new ordinance would be done soon. Mr. Bettis said it would be. He said the problem with ones inside the building is that we can't just walk up and inspect them. Mr. Bettis said with Board of Aldermen approval he would be willing to continue to work with Mr. Piercy and come up with a reasonable solution so he can get his business back open.

A motion was made by Alderman Couchman and seconded by Alderwoman Hayes to authorize Jay Bettis, Water/Wastewater Superintendent to work with Mr. Piercy and come up with a solution agreeable to both of them. The motion carried unanimously.

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 March 2, 2009 meeting:

ORG/VENDOR NAME	WARRANT: 030209	AMOUNT
* City Hall Expenses		
BOARD OF ELECTIONS		2,766.82
CORPORATE EXPRESS		267.07
BILLY R DANE		175.00
DE LAGE LANDEN FINANCIAL SERVICES		60.00
KEARNEY CHAMBER OF		50.00
MO CITY MANAGMENT ASSOC.		200.00
MONARCH INDUSTRIES, INC.		384.70
PITNEY BOWES		39.48
GERRI SPENCER		261.52
UNISOURCE, INC		200.00
JOAN H. UPDIKE		24.25
VERIZON WIRELESS		112.70
* Community Development Dir		
CINTAS CORPORATION #690		30.58
DE LAGE LANDEN FINANCIAL SERVICES		31.00
UNISOURCE, INC		115.00
VERIZON WIRELESS		116.19
* General Admin. Revenues		
WELLS FARGO REAL ESTATE TAX		49.50
* Meter Deposit Expenses		
BRENT BROWN		25.68
DAVID BUTTS		75.00
JIM CARLSON CONSTRUCTION		64.88
FIRST BANK OF MISSOURI		53.97
DONALD HALEY		6.78
MARIO IAFRATE		55.88
AMY MCDONALD		55.88
JAMES MILLER		18.79
TYEA PIEPERGERDES		1.82
* Old Church TIF Debt Expen		
DEW PROPERTIES, LLC		7,703.59
* Park Fund Expenses		
ARROW STAGE LINES		511.00
BOB BALDWIN		15.00

CINTAS CORPORATION #690	14.96
EXPRESS ORGANICS	2,970.00
NEW THEATRE RESTAURANT	25.00
PITNEY BOWES	39.49
PLATTE CLAY ELECTRIC	1,320.20
VERIZON WIRELESS	112.76
* Park Special Projects	
BARCODE GIANT	1,152.80
DESIGNED 2 WIN	184.00
* Police Dept. Expenses	
BOARD OF POLICE	45.58
CORPORATE EXPRESS	225.33
FORM-TECH INC.	98.50
GUTH LABORATORIES INC	52.27
J & K AUTO REPAIR	25.00
ORSCHELNS CARD CENTER	55.96
PITNEY BOWES	39.49
POLICE LEGAL SCIENCES, INC.	1,560.00
VERIZON WIRELESS	466.66
WESTERN FIRST AID & SAFETY	57.00
* Pooled Cash	
AFLAC/REMITTANCE	41.94
BLUE CROSS BLUE SHIELD OF KC	16,124.16
FAMILY SUPPORT	909.50
ING FINANCIAL ADVISERS,LLC	1,881.33
MISSOURI LAGERS	14,122.60
METLIFE SMALL BUSINESS CENTER	1,412.95
MO DEPT. OF REVENUE	4,564.00
VISION SERVICE PLAN (IC)	406.96
* Sewer Plant Expenses	
ALLIED WASTE SERVICES	102.84
BRINK'S HOME SECURITY	31.95
FTC EQUIPMENT, LLC	672.04
THE LARKIN GROUP	241.25
PLATTE CLAY ELECTRIC	9,160.90
WESTERN EXTRALITE COMPANY	119.31
* Solid Waste	
DEFFENBAUGH INDUSTRIES	21,590.25
* Street Department Expense	
AMERICAN PRIDE EXPRESS LUBE	36.75
AMERICAN PLUS INC	38.59
CINTAS CORPORATION #690	81.30
ORSCHELNS CARD CENTER	17.49
PLATTE CLAY ELECTRIC	423.99
PORTER'S SERVICE	255.33
493-PRAXAIR DISTRIBUTION	125.00
TRANSYSTEMS CORP	1,503.00
VERIZON WIRELESS	210.36
WESTERN FIRST AID & SAFETY	7.95
* W & S Admin. Expenses	
CINTAS CORPORATION #690	101.52
CITY OF KEARNEY	26,296.17
CORPORATE EXPRESS	237.53
FIELD GYMMY, INC.	156.54
MO DNR-DMS RECEIPT &	2,491.44
MO WATER & WASTEWATER	75.00
PITNEY BOWES	39.49

SAFETY & HEALTH COUNCIL OF	198.00
UNIVERSAL INDUSTRIES, INC	159.38
VERIZON WIRELESS	262.58
WINGFOOT COMMERCIAL TIRE	257.98
* W & S Oblig. Expenses	
UMB BANK	3,746.71
* W & S Oblig. Revenue	
WELLS FARGO REAL ESTATE TAX	4.30
* Water Cap. Imp. Expenses	
KINCAID CONSTRUCTION INC	31,602.48
* Water Plant Expenses	
AMERICAN PLUS INC	38.56
BRENNTAG MID-SOUTH, INC	1,444.76
BRINK'S HOME SECURITY	31.95
C.H. ROBINSON COMPANY, INC.	667.00
CINTAS CORPORATION #690	26.00
FTC EQUIPMENT, LLC	1,696.65
KCMO WATER SERVICES	10,056.62
MICRO-COMM INC	137.50
MISSISSIPPI LIME CO	4,725.00
ORSCHELNS CARD CENTER	48.36
PLATTE CLAY ELECTRIC	1,475.67
TNEMEC COMPANY INC.	37.95
WESTERN FIRST AID & SAFETY	142.90
* West Creek L/P Debt Serv	
KCB BANK	37,950.00
KEARNEY TRUST COMPANY	37,950.00
* Wireless Cap Imp Exp-Park	
KEARNEY TRUST COMPANY	25,000.00

TOTAL	283,056.86

APPROVED: _____
 Billy R. Dane, Mayor

ATTEST: _____
 Joan H. Updike, City Clerk