

May 18, 2009

The Board of Aldermen, City of Kearney, Missouri, met in regular session at Kearney City Hall, 100 East Washington, May 18, 2009 at 6:30 P.M. with Mayor Dane presiding. Members present were Jeff Couchman, Jenny Hayes, Dan Holt and Alan Gustin. Staff members present were Jim Eldridge, Shirley Zimmerman, David Pavlich 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 May 4th meeting
- Bills presented for payment
- Field Jimmy Transmission Repair-Porter Service, \$5,140
- Amphitheater Bathroom, Estimate \$2,750
- Sludge Truck Financing Proposal, 7 Year Lease Purchase, Kearney Trust
- \$6,570 MicroComm Proposal to install low flow sensors in lift stations
- Street maintenance bids totaling \$253,717.51
- **Resolution No. 12-2009** Authorizing Lamar Sign Contract, \$57,858
- Low bid for Snow Plow, Knapheide Equipment, \$4,521
- Scorpion Micro DV- 16 personal video/audio cameras totaling \$2,000

Staff said we need the low flow sensors in the lift stations to prevent damage in the event the transducer fails.

Staff said we chose Dan Lewellan to do the concrete work even though he was \$105 higher because we have a long work experience with him and know his quality of workmanship with the City.

Staff asked Joe Kantola, Kearney Police Department, to give a short demonstration of the personal video/audio cameras. Mr. Kantola said they are very small and they can wear them on their shirt and they only need to push a button to activate them.

Alderman Gustin asked if these tapes would be permissible in court. Mr. Kantola said they are permissible in court.

Alderman Holt asked if any of the street repairs were at Pilot. Staff said no.

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

MAYOR'S REMARKS

BILLBOARDS Mayor Dane reported that the billboard advertising was to start today. There are seven messages on three billboards located at Cambridge Circle, I-70 and Paseo Bridge. We have seven merchants that have paid \$3,500 for advertising on the billboards.

Mayor Dane said we will be advertising the amphitheater on a static billboard at Pleasant Valley. We will also be using a billboard on I-35 North of town by the ballfields.

KC STAR PRINT AD MEETING Mayor Dane said he will be meeting with the Kansas City Star tomorrow morning at 9:00 A.M. to work on advertising in the Star. He said he will also be talking to the Courier about using their publications in the Johnson County Kansas area.

ADMINISTRATOR'S REPORT

ENTERPRISE ZONE ADVISORY BOARD Staff reported that there was an information meeting to form the Enterprise Zone Advisory Board last week. Lee Meyer was appointed as Chairman of the Board. There will be a public hearing meeting May 26th and then they will be sending recommendations to the Board of Aldermen on June 1, 2009.

PUBLIC REQUESTS & PETITIONS

FINAL PLAT OF EASTWOOD APARTMENTS Bill No. 12-2009, an ordinance approving **ORDINANCE NO. 1113-2009** the Final Plat of Eastwood Apartments, a one lot subdivision of land, was presented and read by Title only.

Staff presented a memo dated May 15, 2009 and recommended approval of the Final Plat of Eastwood Apartments. The Planning and Zoning Commission met on May 11, 2009 and recommended approval.

A motion was made by Alderman Holt and seconded by Alderwoman Hayes to pass said bill on its first reading. The motion carried unanimously.

A motion was made by Alderman Gustin and seconded by Alderman Couchman to place Bill No. 12-2009 on its second and final reading. Said Bill was thereupon read and considered, and was duly passed by the following roll call vote: Voting for the Motion: Couchman, Hayes, Gustin and Holt. The motion carried by a four to zero vote. The Bill was then duly numbered **Ordinance No. 1113-2009.**

Mayor Dane asked when they intended to get started on this project. Steve Warger, engineer for MACO said they have to wait on the State paper work for the funding but hope to start moving dirt in August or September.

JIM GOSS AND IRV JENSEN KADC ECONOMIC DEVELOPMENT PLAN Jim Goss, President of KADC, said for the past few months KADC has been working on a new Plan. Mr. Goss said the original plan for KADC was designed to create Innovation Park, bring telecommunications (Fair Point) to the community and help develop Old Church Plaza. They

IM GOSS AND IRV JENSEN KADC ECONOMIC DEVELOPMENT PLAN-CONT have accomplished the main goals of the old Plan and felt it is time to move forward with a new Plan.

Mr. Goss said they hired Irv Jensen, Smart Solutions Group, to assist them with the new Plan. They formed a steering committee and invited the City, School District, Chamber of Commerce and people from the community to assist with the process. They intend for this Plan to be for KADC but include everyone in the community.

Mr. Goss said they are in the process of forming Team Kearney. At their next meeting they will be reforming KADC. Mr. Goss said they are in the process of now meeting with various groups in the community and presenting the Plan.

Irv Jensen, Smart Solutions Group, presented a Power Point presentation of the Plan. He said it has three components to it. He said the role of KADC will be to sell the community to new prospects. He said it will be the job of the Chamber of Commerce to promote the community and the job of the City to provide services.

Alderwoman Hayes asked how the task force will be created. He said they will be looking for volunteers from the community as they present this plan to the various groups. He said it would be helpful if they have some expertise in economic development but the most important thing is for the individuals to have a passion for the community.

Jim Goss said he invites everyone to come and be a part of Team Kearney. He said we hope that we will be as successful with this Plan as we were with the previous Plan.

Mayor Dane said KADC has been in Kearney since 1994 or 1995 and has been very successful. He said this new Plan is right for today's environment. He said he wanted to thank the Executive Board who has met every two weeks for all these years.

DAN COLT, PRESIDENT, JESSE JAMES FESTIVAL Dan Colt, President, Jesse James Festival Committee, said he wanted the opportunity to let the Board of Aldermen know that the Jesse James Festival Committee wants to work with the City.

Mr. Colt said the Committee has worked out the details with the City to host a Demo Derby in June as a fund raiser. He said they are reaching out to the other civic groups in the community and hope to get everyone working together.

Mr. Colt said their biggest need at the present time is bleachers for the arena area. He said they intend to spend fifty percent of their profits on new bleachers for the park.

Alderman Holt said at one time the Festival Committee wanted to enclose the rodeo arena. Mr. Colt said that might be something they do in the future but the real need at the present is bleachers. He said we just need to develop the Park as we go along and meet the most urgent needs first.

DAN COLT, PRESIDENT, JESSE JAMES FESTIVAL-CONT Mayor Dane said he was glad to see the Jesse James Committee take their role to a new level. He said we can accomplish many things by working together.

PUBLIC HEARINGS

ZONING AMENDMENT PROHIBITING PARKING OF TRAILERS/RV'S ON STREET

Staff reported that Planning and Zoning Commission unanimously approved an amendment to the Zoning Ordinance further clarifying prohibitions of certain types of vehicles being parked in residential zoned areas.

Staff said we changed the description of vehicles and the main purpose is to get recreational and construction vehicles in particular parked in driveways instead of on the residential streets.

Alderman Holt said this is good to get these vehicles off the streets. He said they are usually larger vehicles and makes it difficult to see around them and create safety hazards.

Alderman Gustin asked how you determine where the front yard lot line is. He asked if the five feet is from the edge of curb, sidewalk or where.

Mayor Dane said he didn't like anything blocking sidewalks and would prefer that to be used as a guideline.

Alderman Holt said in his neighborhood a lot of the driveways aren't long enough for two cars to be parked in the driveway and not be on the sidewalk.

David Pavlich said the main purpose of this was in regard to long term parking and not personal vehicles.

Alderman Gustin asked who is going to determine where the lot line is located. Staff said we handle this on a complaint basis only and it is usually handled by the Building Inspector/Code Enforcement Officer. He said as a general rule the lot line is about one foot behind the sidewalk.

Mayor Dane asked Staff to check other cities and see how they define lot lines. He said he thought this should go back to the Planning and Zoning Commission and determine where lot lines are and better define the five feet description.

It was the general consensus of the Board of Aldermen to send this back to the Planning and Zoning Commission for a better description of front lot line and/or where the five feet would be.

NEW BUSINESS

INCLUSION OF KEARNEY IN MARC MPO MAP A Resolution, supporting the **RESOLUTION NO. 13-2009** inclusion of the City of Kearney into the Mid-America Regional Council Metropolitan Planning Organization (MPO) Boundary and requesting the Clay

INCLUSION OF KEARNEY IN MARC MPO MAP County Commission to petition the **RESOLUTION NO. 13-2009** MARC MPO for inclusion of all Clay County into the MPO, was presented and read by Title only.

A motion was made by Alderman Holt and seconded by Alderman Couchman to approve the Resolution supporting the inclusion of the City of Kearney into the Mid-America Regional Council Metropolitan Planning Organization (MPO) boundary and requesting the Clay County Commission to petition the MARC MPO for inclusion of all Clay County into the MPO. The motion carried unanimously.

DISCUSSION OF PILOT TRAVEL CENTER TRAFFIC CONGESTION Mayor Dane said Alderman Gustin had asked to place the Pilot Travel Center traffic congestion on the agenda for discussion. He said there is no easy answer to the traffic problems there. He said MoDOT absolutely won't permit a traffic light at that location.

Alderman Gustin said that problem isn't going to go away. He said he just thought we should be planning on some type of solution, have a time frame and try to get the other two businesses to join the CID. He asked how much money we have in the CID and what it would cost to build the road coming out at North Country Avenue.

Mayor Dane said we have a balance of approximately \$50,000 in the CID. He said we have approximately 1.9 million in the Highway Fund. He said Pilot agreed to build the East/West connection to any road we built to the West.

Mayor Dane said it would cost 1.7 million in grading. The ground behind Kearney Commercial Bank and First Missouri Bank would have to be graded down. He said the entire package would be approximately 3.5 million to do the grading and build the road.

Alderman Gustin asked if we put the road in now, then can't we do impact fees when new businesses build in that area.

Mayor Dane said the only way you can get your cost back is if the area is a TIF area. He said you have to already have the TIF in place before the road is built. In order to have a TIF you have to have a tenant in the area.

Alderman Gustin said if we can't do an impact fee maybe we can do a CID or NID District.

Mayor Dane said in order to get a stop light there we would have to make improvements to 92 Highway which would be an additional cost.

Alderman Holt said he believes if we build the road first and shift the truck traffic over there we never will get a tenant in the area. He said we would only be relieving Arby's and creating a problem for someone else.

Alderman Couchman said he understands our Police Department don't want to direct traffic but maybe we could create a position and hire a traffic officer to work that area during peak times.

DISCUSSION OF PILOT TRAVEL CENTER TRAFFIC CONGESTION-CONT

Alderman Hayes said we really need to do something to help with the congestion. She said it is dangerous and very irritating to go out there. She said the road has horrible pot holes.

Staff said we could take money from the CID and repair the holes. We have a hard time getting Pilot to properly repair the road.

Alderman Couchman said maybe we could contact some place like Missouri University and have them send some students up and do a study on the area. He said maybe we can get ideas from someone with a fresh mind on the area. Mayor Dane said he thought that was a good idea.

A motion was made by Alderman Holt and seconded by Alderman Couchman to have Staff talk to Missouri University or Rolla University about having students come up and do a study on the entrance to Pilot. The motion carried unanimously.

Alderman Hayes said if Pilot agreed to take over the maintenance of that road why don't we hold them more accountable. She said we need to talk to them and make them fix the road. Mayor Dane said he would gladly get her the phone numbers for Pilot and she is welcome to attempt to talk to them.

Mayor Dane said it would take at least \$200,000 to go any further at this time with any kind of plan. He said he would talk to Arby's about joining the CID. He said for Staff to have Akin, Gordon, Cowger and Transystems come to a meeting and report on that area.

REAPPOINTMENT OF DARREN HILEY/KENT PORTER TO PLANNING

COMMISSION Mayor Dane said he would like to reappoint Darren Hiley and Kent Porter to the Planning and Zoning Commission. They have both agreed to another term.

A motion was made by Alderman Couchman and seconded by Alderman Hayes to reappoint Darren Hiley and Kent Porter to the Planning and Zoning Commission. The motion carried unanimously.

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

The following bills were presented for payment at the May 18, 2009 meeting:

ORG/VENDOR NAME	WARRANT: 051809	AMOUNT

* 1996 SRF REV BD Expense		
UMB BANK		4,743.27
* 2001 SRF Rev Bd Expense		
UMB BANK		14,847.02
* Cap Improv Sales Tax Exp.		
HOUSEWORTH ENTERPRISES		393.75
* City Hall Expenses		
BIG V SUPERMARKET		105.30

CHRIS' LAWN CARE AND	295.00
CINTAS CORPORATION #690	151.22
CORPORATE EXPRESS	10.99
DE LAGE LANDEN FINANCIAL SERVICES	62.27
DEFFENBAUGH INDUSTRIES	20.00
R. BRIAN HALL, PC	3,285.00
HOUSEWORTH ENTERPRISES	1,125.00
MISSOURI GAS ENERGY	231.22
MO CITY MANAGMENT ASSOC.	75.00
NPG NEWSPAPERS INC	385.10
PENRODS GREENHOUSE	120.15
TEK-COLLECT	10.24
UNISOURCE, INC	200.00
THE UPS STORE	40.20
CARD SERVICES (VISA)	28.47-
* Community Development Dir	
CINTAS CORPORATION #690	15.29
CITY OF KEARNEY-PETY CSH	10.00
CHAD COFFELT	21.78
DE LAGE LANDEN FINANCIAL SERVICES	33.28
NPG NEWSPAPERS INC	41.67
DAVID PAVLICH	161.92
UNISOURCE, INC	115.00
THE UPS STORE	21.00
CARD SERVICES (VISA)	82.19
* Court & Legal Expenses	
LARRY E BUTCHER	950.00
R. BRIAN HALL, PC	2,895.00
RAY COUNTY SHERIFF/TREASURER	370.00
* General Admin. Revenues	
JOYCE BANKSTON (LOGAN)	10.82
* General Fund Balance Acct	
MO DEPT OF PUBLIC SAFETY	89.00
MO DEPT OF REVENUE-CVC	634.13
SYNERGY SERVICES INC	178.00
* Park Fund Expenses	
ARROW STAGE LINES	511.00
CINTAS CORPORATION #690	7.48
DEFFENBAUGH INDUSTRIES	84.00
DEFFENBAUGH DISPOSAL	354.86
EMPORIA STATE UNIVERSITY	1,500.00
FORM-TECH INC.	472.00
FRIES LAWN & LEISURE INC	13.85
HOUSEWORTH ENTERPRISES	1,620.00
KWIK LUBE	29.95
O'REILLY AUTOMOTIVE INC	17.64
PUBLIC WATER SUPPLY	15.30
QUICK STOP	490.00
U.S. POSTAL SERVICE	2,000.00
THE UPS STORE	56.45
* Park Special Projects	
A 1 WHEELS	150.00
ADVANCED SOUND & COMMUNICATION	75.00
BIG V SUPERMARKET	10.76
CITY OF KEARNEY-PETY CSH	1,200.00
BARBARA DANIELS	595.00
DEAN FOLTZ	1,000.00

BRANDON HUDSPETH	700.00
KEARNEY ROTARY CLUB	100.00
TRAMPLED UNDER FOOT, LLC	850.00
* Police Dept. Expenses	
ALTERATIONS AND	12.00
AMERICAN PRIDE EXPRESS LUBE	31.95
BIG V SUPERMARKET	21.46
THOMAS R. CAREY	103.76
CHILDREN'S MERCY HOSPITAL	144.50
CINTAS CORPORATION #690	179.11
CORPORATE EXPRESS	148.51
DEFFENBAUGH INDUSTRIES	20.00
FORM-TECH INC.	140.00
GALLS INCORPORATED	414.61
GRAFF TECHNOLOGY SOLUTIONS	667.98
J & K AUTO REPAIR	141.94
KWIK LUBE	29.95
MISSOURI GAS ENERGY	84.53
O'REILLY AUTOMOTIVE INC	36.54
SHELL	607.77
JOHN STEWART	18.04
THE UPS STORE	10.30
CARD SERVICES (VISA)	127.26
* Pooled Cash	
AFLAC/REMITTANCE	15.44
FAMILY SUPPORT	909.50
ING FINANCIAL ADVISERS,LLC	1,671.33
* Sewer Plant Expenses	
ACE PIPE CLEANING, INC.	3,790.50
CINTAS CORPORATION #690	24.42
DECKER CONSTRUCTION	1,730.16
DEFFENBAUGH INDUSTRIES	20.00
ENVIRONMENTAL RESOURCE ASSOC.	423.80
HOUSEWORTH ENTERPRISES	225.75
MICRO-COMM INC	729.00
REDDI ROOT'R	199.00
SUPERIOR LAMP INC	184.85
WESTERN FIRST AID & SAFETY	106.69
YATES ELECTRIC CO.	627.34
* Street Department Expense	
J.E. BERRY SODDING	16.00
CINTAS CORPORATION #690	39.30
CITY OF KEARNEY-PETY CSH	40.00
DEFFENBAUGH INDUSTRIES	30.00
DEFFENBAUGH DISPOSAL	875.00
EHARAS SERVICES AND SOLUTIONS	3,500.00
FRIES LAWN & LEISURE INC	73.81
HOUSEWORTH ENTERPRISES	166.50
KEARNEY LIONS CLUB	142.00
LONG VET CLINIC	30.00
MO DIVISION OF	185.96
O'REILLY AUTOMOTIVE INC	14.48
PLATTE CLAY ELECTRIC	6,412.95
CARD SERVICES (VISA)	357.82
* W & S Admin. Expenses	
CINTAS CORPORATION #690	50.76
CITY OF KEARNEY-PETY CSH	50.00

EMBARQ	169.33
HUNTS CAR CARE CENTER	839.34
MISSOURI SALES TAX	1,247.76
THE UPS STORE	4.98
* W & S Oblig. Revenue	
JOYCE BANKSTON (LOGAN)	.94
* Water Plant Expenses	
BRENNTAG MID-SOUTH, INC	1,377.50
DEFFENBAUGH INDUSTRIES	20.00
EVERETT QUARRIES	648.27
FTC EQUIPMENT, LLC	8,636.64
HACH CHEMICAL	290.09
HAMPTON PLUMBING, INC.	190.00
HD SUPPLY WATERWORKS	1,635.00
HOUSEWORTH ENTERPRISES	387.00
JACKSON COUNTY PWS#1	462.36
KCMO WATER SERVICES	10,374.22
KEARNEY LIONS CLUB	61.00
MISSISSIPPI LIME CO	4,725.00
MISSOURI GAS ENERGY	360.40
MISSOURI ONE CALL SYSTEM, INC.	152.40
MO DNR-DMS RECEIPT &	45.00
SUPERIOR LAMP INC	184.84
THE UPS STORE	54.01
WEST KEARNEY WINNELSON	203.54
WESTERN FIRST AID & SAFETY	106.69
YATES ELECTRIC CO.	615.50

TOTAL	101,929.01

APPROVED: _____
 Billy R. Dane, Mayor

ATTEST: _____
 Joan H. Updike, City Clerk

