

August 17, 2009

The Board of Aldermen, City of Kearney, Missouri, met in regular session at Kearney City Hall, 100 East Washington, August 17, 2009 at 6:30 P.M. with Mayor Dane presiding. Members present were Jeff Couchman, Dan Holt, Jenny Hayes and Alan Gustin. Staff members present were Jim Eldridge, Shirley Zimmerman, David Pavlich, Ryan Marcotte 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 August 3rd meeting
- Bills presented for payment
- Crowd barriers, Inline Barricades for Amphitheater, \$1,552

Alderman Holt said he thought the crowd barriers were a nice added feature at the Amphitheater.

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

MAYOR'S REMARKS

AMPHITHEATER UPDATE Mayor Dane asked for an update on the Amphitheater.

Ryan Marcotte said we just had a very successful concert with Jamey Johnson on Saturday night. He said we made \$12,476 in profit from the show. At this point we are \$2482 in the black with one more concert to go.

Mayor Dane asked what the worst case scenario would be if the last concert didn't happen. Mr. Marcotte said if we took in no ticket sales for that concert we would only lose around \$2700.

Mayor Dane said he wanted to compliment the Park Department for a good job in a tough economy. He said if we could break even in the second year of operation that would be wonderful.

Eric Marshall said we heard back from the Jamey Johnson group on Sunday and they were very pleased with the venue and how things went in spite of the rain.

Mayor Dane said we made a lot of changes for this concert and he wondered if everything went well. Mr. Marshall said he wasn't aware of any problems.

Alderwoman Hayes said taking gate at the entrance went real well. She said we need to change the fence around the Port-a-potty so they can't walk on in from there and have an exit lane.

AMPHITHEATER UPDATE-CONT Jay Bettis said having the ID tags for those allowed back stage really helped his Explorers to keep people from back stage.

PUBLIC HEARING

TAX RATE LEVY FOR 2009 Bill No. 18-2009, an ordinance setting the tax rate levy for
ORDINANCE NO. 1119-2009 2009, was presented and read by Title only.

Staff said using the State Auditor's Levy Calculator, the City could be permitted to increase the General Levy by 1.84 cents, which equates to \$24,330 in tax revenue based on the final assessment figures. By maintaining the same levy as 2008, the City budget should be able to absorb this \$24,330 loss in revenue.

Mayor Dane said we haven't raised the levy in years and he didn't feel like we should do that this year.

The floor was opened to the public.

There being no comments from the public, the floor was closed.

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

A motion was made by Alderman Holt and seconded by Alderman Couchman to place Bill No. 18-2009 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, Gustin, Hayes and Holt. The motion carried by a four to zero vote. The Bill was then duly numbered **Ordinance No. 1119-2009.**

NEW BUSINESS

FINANCIAL DISCLOSURE Bill No. 19-2009, an ordinance to establish a procedure to
ORDINANCE NO. 1120-2009 disclose potential conflicts of interest and substantial interests for certain municipal officials, was presented and read by Title only.

Staff said we have done this each year and it is a simplified financial disclosure ordinance which limits filing requirements to the Mayor, Board of Aldermen and City Administrator. Without adoption of this ordinance, all municipal officials including Park Board and Planning and Zoning officials would be subjected to filing even more detailed personal financial disclosure reports each year.

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

A motion was made by Alderman Gustin and seconded by Alderwoman Hayes to place Bill No. 19-2009 on its second and final reading. Said Bill was thereupon read and considered, and was

FINANCIAL DISCLOSURE-CONT duly passed by the following roll call vote: Voting for **ORDINANCE NO. 1120-2009** the Motion: Couchman, Gustin, Hayes and Holt. The motion carried by a four to zero vote. The Bill was then duly numbered **Ordinance No. 1120-2009**.

REDUCTION OF BUILDING PERMIT FEES Bill No. 20-2009, an ordinance offering a **ORDINANCE NO. 1121-2009** reduction in the cost of building permit fees and associated fees, was presented and read by Title only.

Mayor Dane said this ordinance proposes to offer twenty five more permits at half price from now until October 31st. Mayor Dane said this would generate enough revenue to match the projected building permits fees in the current budget.

Alderman Holt asked when the builder would pay the fees. Staff said they would be paid at the time they pull the permit. They won't have to submit bids from local contractors, suppliers, etc.

Alderman Gustin asked why we chose the sixty day time frame. Mayor Dane said it is to motivate builders to go ahead and pull more permits.

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 Holt and seconded by Alderman Couchman to place Bill No. 20-2009 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, Gustin, Hayes and Holt. The motion carried by a four to zero vote. The Bill was then duly numbered **Ordinance No. 1121-2009**.

Mayor Dane asked Staff to contact the billboard company to run an ad that we are offering half price building permits.

ALDERMAN DISCUSSION

ADLERMAN COUCHMAN Alderman Couchman asked if we are getting any feed back from the billboards. Staff said we are getting some and especially in regard to the Amphitheater.

ALDERMAN HOLT Alderman Holt said over the week-end he saw an adult and some kids swimming in the Southbrook lake. He said he was concerned if the City could be held liable.

Mayor Dane said the lake is owned by the Homeowners Association which is defunct. He said there is nothing saying we can't be sued but we have no ownership of the lakes. We have asked people not to swim in the lake.

ALDERMAN GUSTIN Alderman Gustin said a tree was knocked out on the island going into Marimack Farms. He said he understood it had been the result of an accident so he wondered if we could see if there was a police report so we could maybe get the tree replaced by insurance. Otherwise, he wondered if the City could take care of it.

ALDERMAN GUSTIN Staff said that island is to be taken care of by the Homeowners Association.

Alderman Gustin asked if we could have a report from Tek-Collect to see how that is going. Staff said they will have a report in the next agenda.

ADJOURNMENT There being no further business on the agenda, a motion was made by Alderman Holt and seconded by Alderman Gustin to adjourn to executive session to discuss real estate matters. The motion carried unanimously.

The following bills were presented at the August 17, 2009 meeting to be paid:

ORG/VENDOR NAME	WARRANT: 081709	AMOUNT
* 1996 SRF REV BD Expense		
UMB BANK		5,250.91
* 2001 G.O. Hwy Bds Expense		
UMB BANK, N.A.		168,140.63
* 2001 SRF Rev Bd Expense		
UMB BANK		14,775.02
* Cap Improv Sales Tax Exp.		
CHRIS' LAWN CARE AND		447.00
HOUSEWORTH ENTERPRISES		180.00
* City Hall Expenses		
BIG V SUPERMARKET		16.76
CHRIS' LAWN CARE AND		125.00
CINTAS CORPORATION #690		120.41
COLE PRINTING		172.00
DE LAGE LANDEN FINANCIAL SERVICES		60.00
DEFFENBAUGH INDUSTRIES		20.00
EXCELSIOR PUBLISHING		346.50
R. BRIAN HALL, PC		5,008.00
HOUSEWORTH ENTERPRISES		390.00
MISSOURI GAS ENERGY		78.26
MO DEPT OF REVENUE		35.00
MO DIVISION OF		40.06
NPG NEWSPAPERS INC		244.44
PERSONAL TOUCH ENGRAVING		7.00
CARD SERVICES (VISA)		68.95
* Community Development Dir		
CINTAS CORPORATION #690		9.95
DE LAGE LANDEN FINANCIAL SERVICES		31.00
* Court & Legal Expenses		
LARRY E BUTCHER		950.00
R. BRIAN HALL, PC		1,515.00
RAY COUNTY SHERIFF/TREASURER		560.00
* General Admin. Revenues		
CITI FINANCIAL		240.69
* General Fund Balance Acct		
MO DEPT OF PUBLIC SAFETY		263.00
MO DEPT OF REVENUE-CVC		1,873.88
SYNERGY SERVICES INC		526.00
* Park Fund Expenses		

AMERICAN HEARTLAND	240.00
ARROW STAGE LINES	511.00
BIG V SUPERMARKET	77.10
CINTAS CORPORATION #690	13.45
DEFFENBAUGH INDUSTRIES	84.00
FRIES LAWN & LEISURE INC	139.57
HOUSEWORTH ENTERPRISES	730.00
INLINE BARRICADES & METAL	1,552.00
PUBLIC WATER SUPPLY	18.55
TAYLOR SYAS	330.00
* Park Special Projects	
A 1 WHEELS	100.00
BIG V SUPERMARKET	821.27
KBEQ-FM	1,406.00
KCFX-FM 101.1	2,700.00
KEARNEY LODGING	280.00
NPG NEWSPAPERS INC	1,124.64
SOUND CHECK ENTERPRISES, INC	4,750.00
JOAN H. UPDIKE	180.00
THE UPS STORE	117.50
* Police Dept. Expenses	
AMERICAN PRIDE EXPRESS LUBE	68.70
BIG V SUPERMARKET	16.76
BOARD OF POLICE	47.05
CINTAS CORPORATION #690	156.01
DEFFENBAUGH INDUSTRIES	20.00
ED ROEHR SAFETY PRODUCTS	79.42
HUNTS CAR CARE CENTER	937.91
J & K AUTO REPAIR	270.03
KEARNEY BODY SHOP	230.00
MISSOURI GAS ENERGY	46.12
O'REILLY AUTOMOTIVE INC	8.17
THE UPS STORE	35.86
GEORGE WOOD HEATNG & AIR	255.00
* Pooled Cash	
FAMILY SUPPORT	909.50
ING FINANCIAL ADVISERS,LLC	1,691.33
* Sewer Plant Expenses	
CINTAS CORPORATION #690	21.75
DEFFENBAUGH INDUSTRIES	20.00
FRIES LAWN & LEISURE INC	103.97
HOUSEWORTH ENTERPRISES	86.25
MIDWEST LABORATORIES INC	90.04
O'REILLY AUTOMOTIVE INC	11.99
ORR SAFETY CORP	271.80
GARY SHANKS	2,600.00
SUPERCO SPECIALTY PRODUCTS	165.40
YATES ELECTRIC CO.	1,908.00
* Street Department Expense	
AMERICAN PRIDE EXPRESS LUBE	86.95
THE ARMORY	10.95
BIG V SUPERMARKET	32.50
CINTAS CORPORATION #690	21.12
DEFFENBAUGH INDUSTRIES	30.00
FRIES LAWN & LEISURE INC	103.00
HOUSEWORTH ENTERPRISES	66.75
K.C.BOBCAT	261.00

KEARNEY FEED & SUPPLY	30.00
THE LARKIN GROUP	866.25
LONG VET CLINIC	90.00
MO DIVISION OF	278.94
NEWMAN TRAFFIC SIGNS	304.60
O'REILLY AUTOMOTIVE INC	14.96
PAVING MAINTENANCE	695.75
PLATTE CLAY ELECTRIC	6,421.90
VANCE BROTHERS INC	80.35
* TIF Debt Service	
KCB BANK	22,934.50
KEARNEY TRUST COMPANY	22,992.50
NORTH AMERICAN SAVINGS BANK	1,975.00
* W & S Admin. Expenses	
AFFORDABLE AUTO GLASS	175.00
CINTAS CORPORATION #690	46.02
EMBARQ	166.93
FIELD GYMMY, INC.	66.64
KEARNEY BODY SHOP	5,876.99
MISSOURI SALES TAX	2,112.90
MO WATER & WASTEWATER	115.00
PITNEY BOWES	1,000.00
U.S. POSTAL SERVICE	1,200.00
* W & S Oblig. Expenses	
UMB BANK	3,782.18
* W & S Oblig. Revenue	
CITI FINANCIAL	20.93
* Water Plant Expenses	
BIG V SUPERMARKET	5.99
BOVE' ENTERPRISES, LLC	1,183.90
BRENNTAG MID-SOUTH, INC	2,143.21
CINTAS CORPORATION #690	11.00
DEFFENBAUGH INDUSTRIES	20.00
HD SUPPLY WATERWORKS	2,083.95
HOUSEWORTH ENTERPRISES	165.25
KCMO WATER SERVICES	11,927.97
MISSOURI GAS ENERGY	51.66
MISSOURI ONE CALL SYSTEM, INC.	111.60
THE UPS STORE	59.53
WESTERN EXTRALITE COMPANY	847.02
YATES ELECTRIC CO.	1,881.75
* West Creek L/P Debt Serv	
KCB BANK	37,371.88
KEARNEY TRUST COMPANY	37,371.88
* Wireless Econ Development	
LAMAR COMPANIES	3,500.00
TCOM INC	1,250.00

TOTAL	398,567.80

APPROVED: _____
 Billy R. Dane, Mayor

ATTEST: _____
 Joan H. Updike, City Clerk

