

October 5, 2009

The Board of Aldermen, City of Kearney, Missouri, met in regular session at Kearney City Hall, 100 East Washington, October 5, 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, Eric Marshall and Ryan Marcotte.

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 the September 21<sup>st</sup> meetings
- Bills presented for payment

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

### **MAYOR'S REMARKS**

**CURB SIDE RECYCLING** Mayor Dane asked if the Aldermen had visited with their constituents and gotten any feed back in regard to curb side recycling.

Alderman Holt said he had gotten mixed reviews. He said they like the recycling site and don't want to lose it.

Alderman Couchman said he thought the rate increase would discourage some from recycling. He said we need to make sure they realize the rate increase won't be fifty cents but more like five dollars to do this.

Mayor Dane said we will give it a couple more weeks and then discuss it again. He said his response from citizens had been that it's too expensive. He said maybe we could do a survey on the back of the water bills.

After some discussion it was decided to put the question "Are you willing to pay an additional \$5 to \$6 a month for curb side recycling?" on the back of the water bills.

### **ADMINISTRATOR'S REPORT**

**REPORT ON AMPHITHEATER SEASON** Staff reported that the Park Department achieved a goal not thought possible for the second year of Amphitheater operations. They broke even on direct expenses. We had budgeted for a \$20,860 shortfall between revenues and expenditures.

Eric Marshall, Park Director, presented a 2009 Amphitheater Budget Worksheet which broke down each individual show as well as a final tabulation on expenditures and receipts. He said we

**REPORT ON AMPHITHEATER SEASON-CONT** had three rock n roll shows, three country shows, Blues Fest and an Elvis Tribute as well as four movies in the park.

Mr. Marshall said we had real good response for sponsorship this year and he would like everyone to be sure and thank the sponsors when you see them. He said the Knights of Columbus paid the fee of \$3500 for Gloriana which really helped. The Explorers worked the stage and helped with trash pickup.

Mr. Marshall said we had a budget with \$97,960 in expenses and had projected a shortfall of \$20,000. He said we have ended the year with a profit of \$6,324.33.

Mr. Marshall said he wanted to thank Alderwoman Hayes and her volunteers who took care of gate keeping for the entire season. He said he has ordered shirts for them and will recognize them at the next meeting. He said he also wanted to thank Jim Eldridge for coming out every Sunday morning and helping pick up trash.

Ryan Marcotte said he is already working on next year. He said with the approval of more sound system equipment we will reduce that cost for next year. He said we spent \$24,600 on marketing and it really helped to penetrate the Kansas City market. From the ticket sales on the web site we can track the area codes and we have a lot of 913 area codes.

He said we have figured out that young country works here. He said classic country doesn't do as well as we had hoped. He said we definitely tilt to country and rock is not the direction to go in large numbers.

Jim Eldridge said Eric Marshall and Ryan Marcotte give up their summer for the Amphitheater. He said they have given their very best to make this succeed.

Mayor Dane asked if they had scheduled a planning meeting to work on the next year. Mr. Marshall said they plan to do that maybe the last week in October.

Alderman Couchman asked when they would be going to the conference to look at acts. They said that is in January and it is good primarily for opening acts.

Alderwoman Hayes asked them how they felt the pricing of tickets went. Mr. Marcotte said it went really well. He said we found it to be true that we could raise the prices and even if we had less people attend we came out ahead in the end. He said we never received any complaints about ticket prices.

Mr. Marcotte said we moved the gate for the Jamey Johnson show and found it to work very well. Alderwoman Hayes said she liked the change except for one thing. She said gate keepers have to deal with alcohol issues and we may have to work on that.

**BUDGET UPDATE** Staff presented a six month budget update. Staff said sales tax collections through September are nine percent behind budget. The present shortfall of approximately

**BUDGET UPDATE-CONT** \$49,000 could become significant if the trend continues. For now the loss can easily be made up through employee attrition.

Staff said as the budget was approved the City had an existing vacancy in the Police Department, which remains unfilled. Two additional vacancies in the Police Department, one vacancy in the Street Department and one vacancy in the Water Department have occurred.

We intend to immediately fill a police patrol position. The other vacancies will remain unfilled for this budget year.

Mayor Dane said the budget isn't as bad as it would seem because we had predicted the Amphitheater to lose money.

Alderman Gustin asked if we still have 24/7 coverage in the Police Department with the three vacancies. Staff said we have covered it with the current Staff. He said it has caused some senior officers to not take vacation time and we may need to make an adjustment for them so they don't lose their vacation time.

**AMEND AGENDA** Staff said we would like to amend the agenda to approve a proposal from Williams, Spurgeon, Kuhl & Freshnock Architects.

A motion was made by Alderman Gustin and seconded by Alderman Holt to amend the agenda to consider approving a proposal from Williams, Spurgeon, Kuhl & Freshnock, Architects. The motion carried unanimously.

### **NEW BUSINESS**

**WILLIAMS, SPURGEON, KUHL & FRESHNOCK FOR POLICE STATION** Staff presented a proposal from Williams, Spurgeon, Kuhl & Freshnock to do preliminary design services for the police station at 601 North Country Avenue for a maximum fee of \$1,500.

A motion was made by Alderman Gustin and seconded by Alderwoman Hayes to approve the proposal from Williams, Spurgeon, Kuhl & Freshnock to do preliminary design services for the police station at 601 North Country Avenue for a maximum fee of \$1,500. The motion carried unanimously.

Alderman Couchman asked if we would have a set of plans when this is done. Staff said we will have a set of plans where we can then tailor it to fit our budget.

Alderman Holt asked if the \$1500 for this would come out of the \$200,000. Staff said the \$1500 would come out of general operating budget.

**HEADLIGHTS ON WHEN USING WIPERS** Bill No. 23-2009, an ordinance amending **ORDINANCE NO. 1124-2009** Section 380.010(A) of the Municipal Code concerning when lights are required on motor vehicles, was presented and read by Title only.

**HEADLIGHTS ON WHEN USING WIPERS** Staff said this would amend our ordinances to **ORDINANCE NO. 1124-2009** become consistent with State Law requiring the use of Head Lamps when windshield wipers are used.

Alderman Couchman asked why the State law doesn't take care of this. Staff said if we don't pass this we would have to write all tickets into State Court instead of City Court.

Alderman Holt asked if this would be seen as the City trying to get money from the citizens. Staff said if a ticket is written for this either the State or the City is going to get the money so it just as well be coming to the City.

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 Holt and seconded by Alderwoman Hayes to place Bill No. 23-2009 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. 1124-2009.**

**ALDERMEN DISCUSSION**

**ALDERMAN HOLT** Alderman Holt said we have a new used car lot in town on West Washington. He said the owner is assuring us that he will keep it much cleaner than the previous owner. He also intends to improve the house to the East of the car lot.

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

The following bills were presented for payment at the October 5, 2009 meeting:

ORG/VENDOR NAME	WARRANT: 100509	AMOUNT
<b>* 1996 REVENUE REFUNDING BD</b>		
UMB BANK, N.A.		97,565.00
<b>* 2004 W&amp;S REF REVENUE BNDS</b>		
UMB BANK, N.A.		52,417.50
<b>* Cap Improv Sales Tax Exp.</b>		
CHRIS' LAWN CARE AND		612.50
HOUSEWORTH ENTERPRISES		180.00
<b>* City Hall Expenses</b>		
CINTAS CORPORATION #690		120.41
BILLY R DANE		175.00
HOUSEWORTH ENTERPRISES		915.00
KEARNEY CHAMBER OF		50.00
KRAMER HARDWARE		22.03
MONARCH INDUSTRIES, INC.		418.85
MR GOODCENTS		92.80
NPG NEWSPAPERS INC		144.00

PENCE PLUMBING & HEATING	79.00
STAPLES ADVANTAGE	49.12
TCOM INC	300.00
TRASH AND TREASURE	17.50
JOAN H. UPDIKE	17.07
VERIZON WIRELESS	45.75
CARD SERVICES (VISA)	616.60
<b>* Community Development Dir</b>	
CINTAS CORPORATION #690	9.95
CONOCO	51.45
VERIZON WIRELESS	97.11
<b>* Court &amp; Legal Expenses</b>	
LARRY E BUTCHER	950.00
KATIE PORTER	675.00
RAY COUNTY SHERIFF/TREASURER	35.00
<b>* General Admin. Revenues</b>	
UNCLAIMED PROPERTY ADMIN	21.67
<b>* Meter Deposit Expenses</b>	
AMY BENNETT	23.41
JEREMY COBB	23.41
MICHAEL ERWIN	9.15
KYLE FREEMAN	45.72
CHRISTOPHER GERRISH	63.41
BETTYE GETTINGS	13.80
ALAN HRONEC	30.20
ERICA JOHNSON	23.41
LAMMERS PROPERTY SERVICES	63.41
RALPH LAWLESS	56.41
HEATHER O'DELL	6.14
R & S CONSTRUCTION	10.84
CHRIS RIEGEL	35.00
DOROTHY RILEY	16.41
SCOTT SMITH	44.17
CHRISTINA STANSIL	54.70
UNCLAIMED PROPERTY ADMIN	95.88
<b>* Park Fund Expenses</b>	
JIM AVEY	16.00
KATE CASEY	45.00
CINTAS CORPORATION #690	6.17
CONOCO	768.61
ABIGAIL COURSEN	120.00
FRIES LAWN & LEISURE INC	8.00
JD GARTON	160.00
MEGAN GLAMANN	45.00
HOUSEWORTH ENTERPRISES	1,080.00
IRONMIKE'S WELDING	5.00
HARLIE IVY	30.00
BOBBI L JONES	135.00
LAUREN KIELY	75.00
KRAMER HARDWARE	322.17
AMY LAWRENCE	30.00
SYDNEY MARTIN	60.00
METRO SPORTSWEAR LLC	582.75
NEW THEATRE RESTAURANT	25.00
WHITNEY NORTON	75.00
ETHAN OLSON	120.00
PENCE PLUMBING & HEATING	356.80

PLATTE CLAY ELECTRIC	1,474.58
PORTER'S BUILDING CENTER	215.34
PUBLIC WATER SUPPLY	173.64
MARY KATE SHELTON	60.00
VERIZON WIRELESS	94.99
CARD SERVICES (VISA)	390.44
<b>* Police Dept. Expenses</b>	
THE ARMORY	11.00
CHILDREN'S MERCY HOSPITAL	88.00
CINTAS CORPORATION #690	156.01
CLAY COUNTY SHERIFF'S OFFICE	3,390.00
CONOCO	1,083.12
FORM-TECH INC.	74.65
OMB POLICE SUPPLY	307.83
ORSCHELNS CARD CENTER	28.98
STAPLES ADVANTAGE	24.87
JOHN STEWART	50.72
VERIZON WIRELESS	340.11
CARD SERVICES (VISA)	26.90
<b>* Pooled Cash</b>	
AFLAC/REMITTANCE	245.56
FAMILY SUPPORT	909.50
ING FINANCIAL ADVISERS,LLC	1,606.33
MISSOURI LAGERS	13,364.95
METLIFE SMALL BUSINESS CENTER	1,361.72
MO DEPT. OF REVENUE	5,088.00
VISION SERVICE PLAN (IC)	381.24
<b>* Sewer Plant Expenses</b>	
ACE PIPE CLEANING, INC.	4,168.50
ALLIED WASTE SERVICES	104.56
BROADVIEW SECURITY	31.95
CII LABORATORY SERVICES	44.00
CINTAS CORPORATION #690	21.75
HOUSEWORTH ENTERPRISES	172.50
KINCAID CONSTRUCTION INC	60,158.00
KRAMER HARDWARE	19.41
PLATTE CLAY ELECTRIC	8,171.30
YATES ELECTRIC CO.	4,741.25
<b>* Solid Waste</b>	
DEFFENBAUGH INDUSTRIES	25,076.50
<b>* Street Department Expense</b>	
CINTAS CORPORATION #690	28.40
CLAY COUNTY AUTO PARTS	5.90
CONOCO	717.94
DEFFENBAUGH DISPOSAL	1,225.00
FERRELLGAS, INC.	285.78
HOUSEWORTH ENTERPRISES	133.50
KRAMER HARDWARE	38.55
ORSCHELNS CARD CENTER	134.34
PLATTE CLAY ELECTRIC	343.40
THOMPSON MOWING, INC.	30.00
TRANSYSTEMS CORP	574.60
VERIZON WIRELESS	122.21
<b>* W &amp; S Admin. Expenses</b>	
CINTAS CORPORATION #690	46.02
CITY OF KEARNEY	26,296.17
CONOCO	549.60

HUNTS CAR CARE CENTER	1,648.88
MONARCH INDUSTRIES, INC.	194.10
ORSCHELNS CARD CENTER	25.49
U.S. POSTAL SERVICE	1,500.00
VERIZON WIRELESS	142.08
<b>* W &amp; S Revenue Receipts</b>	
CHRIS RIEGEL	44.54
<b>* Water Plant Expenses</b>	
BROADVIEW SECURITY	63.90
HACH CHEMICAL	1,887.73
HD SUPPLY WATERWORKS	2,128.65
HOUSEWORTH ENTERPRISES	330.50
KRAMER HARDWARE	12.77
MISSISSIPPI LIME CO	4,725.00
ORSCHELNS CARD CENTER	223.06
PLATTE CLAY ELECTRIC	1,322.49
CARD SERVICES (VISA)	52.45
WEST KEARNEY WINNELSON	316.43
YATES ELECTRIC CO.	569.50
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<b>TOTAL</b>	<b>339,736.46</b>

APPROVED: \_\_\_\_\_  
 Billy R. Dane, Mayor

ATTEST: \_\_\_\_\_  
 Joan H. Updike, City Clerk