

December 21, 2009

The Board of Aldermen, City of Kearney, Missouri, met in regular session at Kearney City Hall, 100 East Washington, December 21, 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, and David Pavlich.

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 December 2nd meeting
- Bills presented for payment
- Budget Amendment for Police Station—Create a new Fund 061
- Amphitheater Drum Riser--\$1,303.87
- TIF legal expenses--\$29,500.25 from Gilmore & Bell and \$1,925 for transcript fees

Staff reported that they have invoiced Star Acquisitions for the \$29,500.25 and \$1,500 for the transcript fees because we had a contract maximum for administrative expenses.

Alderman Holt asked if there is a time limit on Star Acquisitions paying the bill. Staff said they have already been billed and were given thirty days to pay the bill.

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

MAYOR'S REMARKS

MERRY CHRISTMAS Mayor Dane said he wanted to wish the Board of Aldermen and City Staff a Merry Christmas.

ADMINISTRATOR'S REPORT

CRETCHER LYNCH, ONEBEACON INSURANCE RENEWAL PROPOSAL

Staff presented the insurance renewal proposal from Cretcher Lynch for the City's 2010 insurance policy.

Staff said our experience with OneBeacon was excellent. We had an extraordinary sewer back up claim in the office building South of Pour Boy Oil on Regency Drive, which the company paid out over \$70,000 in claims. We also had vehicle hail damage to Jay Bettis' truck that cost \$5,690 in repairs.

CRETCHER LYNCH, ONEBEACON INSURANCE RENEWAL PROPOSAL

Remarkably, the premium is \$183 more than the 2009 premium, totaling \$91,285, which does include the new police station building.

Staff said we are back to the home town feel with our insurance broker, which is like the old days with Bob Lalumondier.

Paul Black, Cretcher Lynch, said our good rates are partially because we had nine items when they did the safety and risk management study, but we addressed all of them in a timely manner.

Rex Sweetwood, Cretcher Lynch, said their lost control specialist was very impressed with the way the City handled business. They met with Jay Bettis, who works with the employee safety program, and was very impressed with the way Mr. Bettis handled that.

Mayor Dane said he was very surprised at the small increase. He said they gave us a list of things to address and we have seen a very positive response in premiums. He said this includes the new police station and we have almost three million more in assets this year.

Alderman Holt asked if we would be keeping the same amount of coverage on the old police station building. Mr. Sweetwood said we would have the same coverage.

A motion was made by Alderwoman Hayes and seconded by Alderman Holt to approve the insurance renewal proposal from Cretcher Lynch for the City's 2010 insurance policy for a premium totaling \$91,285. The motion carried unanimously.

BRUCE CULLEY, CPA PRESENTATION OF FISCAL YEAR 2009 AUDIT

Staff presented the 2009 Audit prepared by Bruce Culley.

Bruce Culley gave a summary of the 2009 Audit. He said it was a good year for the City considering the economy of the nation. He said there was an increase of \$72, 932 in water and sewer revenue and they have kept their operating and repair costs as low as possible.

Mayor Dane said sales tax revenues have leveled off. He said building permit fees are low because of the free and reduced building permits the City offered. Mr. Culley said the City can't control the revenues but they have managed expenses very well.

A motion was made by Alderman Couchman and seconded by Alderman Holt to accept the 2009 audit as presented. The motion carried unanimously.

EMPLOYEE CHRISTMAS BRUNCH Staff reported that the Board of Aldermen are invited to join City Staff at City Hall at 10:00 A.M. on December 24th for a pot luck brunch.

PARK BOARD FEE SCHEDULE FOR USE OF PARKS Staff reported that at their December 15th meeting, the Park Board adopted a new fee schedule which will require park usage fees for fund raising events held by Not for Profit organizations. Its purpose is to do away with the fifty percent profit share idea and establish a more reasonable fee structure that both the City and local organizations can better understand.

Mayor Dane said it is \$300 for a day or \$450 for two days and a \$250 deposit. Alderman Couchman said the old way was fifty percent of the gate and concessions.

Alderwoman Hayes asked if this would affect Mike Rabich who has the car shows. Alderman Couchman said we need to talk to the City Attorney about that.

TIME WARNER CONNECTED TO NMR Staff said they wanted to report that Time Warner is now connected to National Marketing Resources. National Marketing Resources said they are very appreciative of the City investment. They have already added new services and will be doing some educational training.

Alderman Couchman asked if anyone else has hooked up to the cable or do the businesses that it goes past know it is available. Staff said they didn't know.

Alderman Gustin suggested that we contact Time Warner and have them contact the adjoining businesses about the availability of services.

PUBLIC REQUESTS & PETITIONS

ROTARY, REQUEST FOR CIRCUS IN JESSE JAMES PARK, MAY 9TH
RESOLUTION NO. 32-2009 A Resolution, approving a Parkland Agreement and a temporary use for a circus to be held by the Kearney Rotary Club at Jesse James Park May 9th, was presented and read by Title only.

Staff said the Zoning Ordinance requires the Board of Aldermen approval for such activities to occur within the City limits. The new fee schedule, which will require a \$300 fee for the event, is recommended to be included with the approval. Appropriate insurance shall also be required pursuant to the enclosed park reservation agreement.

Mayor Dane asked how this went two years ago and were there big animals. Joe Wilmes, Rotary Club representative, said it went very well and they had elephants. He said it was set up down by the Street Barn.

Alderman Gustin asked if they would have access to the Amphitheater. Mr. Wilmes said they wouldn't use the Amphitheater at all.

Staff said they want approval from the Board of Aldermen and then the Park Board will make the final approval. Mayor Dane said why don't we wait until after the Park Board has worked out all the details. Staff said they are on a time constraint and the Park Board won't meet again until Jan. 19th.

ROTARY, REQUEST FOR CIRCUS IN JESSE JAMES PARK, MAY 9TH

RESOLUTION NO. 32-2009 Mayor Dane asked who would be doing the marketing of the circus. Mr. Wilmes said the Circus handles all the advertising and would be holding two shows on a Sunday.

Alderman Gustin said he wasn't against the Circus or Rotary Club but we need to go through the proper process for things like this.

Alderwoman Hayes said this is a very good community event and we should do this.

A motion was made by Alderwoman Hayes and seconded by Alderman Couchman to approve the Resolution approving a Parkland Agreement and a temporary use for a circus to be held by the Kearney Rotary Club at Jesse James Park May 9th subject to Park Board approval and exclusion of the Amphitheater. The motion carried unanimously.

ALDERMEN DISCUSSION

ALDERMAN HOLT Alderman Holt said there is a problem again with the pot hole in front of the Pilot entrance at Shanks Avenue. Staff said they will notify MoDOT.

ALDERWOMAN HAYES Alderwoman Hayes said she had a citizen notify her that Rudolph's lights weren't working at Lion's Park. Staff said they will notify City Staff to take care of that.

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

The following bills were approved for payment at the December 21, 2009 meeting:

ORG/VENDOR NAME	WARRANT: 122109	AMOUNT
* City Hall Expenses		
BIG V SUPERMARKET		26.71
CINTAS CORPORATION #690		120.41
DE LAGE LANDEN FINANCIAL SERVICES		60.00
DEFFENBAUGH INDUSTRIES		20.00
GRAFF TECHNOLOGY SOLUTIONS		460.00
HARLAND TECHNOLOGY SERVICES		963.00
HONEYBAKED HAM		59.95
MISSOURI GAS ENERGY		322.03
MO DEPT OF REVENUE		35.00
MONARCH INDUSTRIES, INC.		210.18
NPG NEWSPAPERS INC		147.25
REVISOR OF STATUTES		75.00
TCOM INC		450.00
TEK-COLLECT		47.32
U.S. POSTAL SERVICE		51.66
UNISOURCE, INC		52.00

* Community Development Dir	
CINTAS CORPORATION #690	9.95
CITY OF KEARNEY-PETY CSH	5.00
DE LAGE LANDEN FINANCIAL SERVICES	31.00
METRO KC CHAPTER ICC	20.00
O'REILLY AUTOMOTIVE INC	119.97
UNISOURCE, INC	52.00
* Court & Legal Expenses	
LARRY E BUTCHER	950.00
RAY COUNTY SHERIFF/TREASURER	315.00
* General Admin. Revenues	
BALLOON INSPIRATIONS LLC	.93
KCB BANK	11.77
SCOTT KNIPPEL	3.19
HARVEY KUKLOK	1.44
BRENDA K RILES	42.22
SUNTRUST MORTGAGE	190.99
WELLS FARGO REAL ESTATE TAX	58.94
* General Fund Balance Acct	
MO DEPT OF PUBLIC SAFETY	77.00
MO DEPT OF REVENUE-CVC	548.63
SYNERGY SERVICES INC	154.00
* Meter Deposit Expenses	
METRO ASPHALT	500.00
* Park Fund Expenses	
CINTAS CORPORATION #690	6.17
DEFFENBAUGH INDUSTRIES	84.00
HAMPTON PLUMBING, INC.	1,674.25
DANNY HILLS	20.00
KEARNEY LAWN &	156.00
KWIK LUBE	29.95
NEW THEATRE RESTAURANT	25.00
NPG NEWSPAPERS INC	142.00
QUICK STOP	712.00
U.S. POSTAL SERVICE	51.67
UNITED RENTALS INC	168.27
* Park Special Projects	
KEARNEY QUARTERBACK CLUB	250.00
* Police Dept. Expenses	
BOARD OF POLICE	138.00
CHUCK ANDERSON FORD	1,922.03
DEFFENBAUGH INDUSTRIES	20.00
DIGITAL ALLY	202.50
GRAINGER	299.15
HUNTS CAR CARE CENTER	419.52
INTERSTATE BATTERIES	99.90
KWIK LUBE	29.95
MISSOURI GAS ENERGY	174.41
O'REILLY AUTOMOTIVE INC	33.57
REVISOR OF STATUTES	75.00
SHELL	754.63
SIRCHIE FINGER PRINT	160.65
U.S. POSTAL SERVICE	56.00
UNISOURCE, INC	88.00
THE UPS STORE	24.35
WORK HEALTH SOLUTIONS	85.00

* Police Station Debt	
KEARNEY TRUST COMPANY	7,524.01
* Police Station Expenses	
GILMORE & BELL	9,000.00
* Pooled Cash	
DELTA DENTAL OF MISSOURI	1,370.26
FAMILY SUPPORT	666.00
ING FINANCIAL ADVISERS,LLC	1,306.33
* Sewer Plant Expenses	
CENTRAL POWER SYSTEMS & SERVICE	504.82
COLDREN CONSTRUCTION LLC	525.00
DEFFENBAUGH INDUSTRIES	20.00
FTC EQUIPMENT, LLC	352.07
MAYES PLUMBING, INC	250.00
MEYER LABORATORY, INC.	595.44
MIDWEST LABORATORIES INC	91.04
SUPERCO SPECIALTY PRODUCTS	260.65
SUPERIOR LAMP INC	150.29
YATES ELECTRIC CO.	250.75
* Street Department Expense	
AKIN, GORDON & COWGER	4,121.00
AMERICAN EQUIPMENT CO	37.50
AMERICAN PRIDE EXPRESS LUBE	36.75
CINTAS CORPORATION #690	35.90
CITY OF KEARNEY-PETY CSH	15.00
DEFFENBAUGH INDUSTRIES	30.00
HUNTS CAR CARE CENTER	640.28
KNAPHEIDE TRUCK	321.48
LONG VET CLINIC	3.70
NEWMAN TRAFFIC SIGNS	172.87
O'REILLY AUTOMOTIVE INC	32.83
PLATTE CLAY ELECTRIC	6,428.95
RUTH INDUSTRIES	320.89
* TIF Star Fd Expenditures	
GILMORE & BELL	29,501.25
MIDWEST LITIGATION SERVICES	1,925.00
* W & S Admin. Expenses	
AMERICAN PRIDE EXPRESS LUBE	62.75
BIG V SUPERMARKET	7.54-
CENTURYLINK	167.68
CINTAS CORPORATION #690	36.32
CITY OF KEARNEY-PETY CSH	10.00
MSC-410526	7.25
IRONMIKE'S WELDING	40.00
MISSOURI SALES TAX	1,339.79
O'REILLY AUTOMOTIVE INC	46.40
TEK-COLLECT	29.63
U.S. POSTAL SERVICE	51.67
* W & S Oblig. Revenue	
BALLOON INSPIRATIONS LLC	.08
KCB BANK	1.02
SCOTT KNIPPEL	.28
HARVEY KUKLOK	.13
BRENDA K RILES	3.67
SUNTRUST MORTGAGE	16.47
WELLS FARGO REAL ESTATE TAX	5.12

*** Water Plant Expenses**

BRENNTAG MID-SOUTH, INC	1,085.94
DEFFENBAUGH INDUSTRIES	20.00
FISHER SCIENTIFIC	223.75
HACH CHEMICAL	490.95
HD SUPPLY WATERWORKS	2,239.92
KCMO WATER SERVICES	15,457.26
MEYER LABORATORY, INC.	595.44
MICRO-COMM INC	732.70
MISSOURI GAS ENERGY	690.39
SUPERCO SPECIALTY PRODUCTS	260.65
SUPERIOR LAMP INC	150.28
THE UPS STORE	74.35
WATER PRODUCTS, INC.	2,622.00
WEST KEARNEY WINNELSON	6.78
YATES ELECTRIC CO.	1,975.80

TOTAL	109,021.50

APPROVED: _____
Billy R. Dane, Mayor

ATTEST: _____
Joan H. Updike, City Clerk