

January 19, 2010

The Board of Aldermen, City of Kearney, Missouri, met in regular session at Kearney City Hall, 100 East Washington, January 19, 2010 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, David Pavlich and Shirley Zimmerman.

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 January 4th meeting
- Bills presented for payment
- Switch phones to Nextel Mobile Phones

Mayor Dane said as part of the Consent Agenda he would like to table the Police Station renovation bids and we will hold a special meeting to approve the bids.

A motion was made by Alderman Couchman and seconded by Alderwoman Hayes to approve the Consent Agenda as presented with the Police Station renovation bids being tabled. The motion carried unanimously.

ADMINISTRATOR'S REPORT

COOK, FLATT AND STROBEL TRAFFIC STUDY Staff said Sabin Yanez and Dallas Joplin, Cook, Flatt and Strobel, will present and discuss the traffic study and implications on the Shoppes at Kearney TIF Plan.

Sabin Yanez said they had the opportunity to meet with the public/neighborhood residents to discuss the traffic issues. There were approximately 24 people in attendance.

Mr. Yanez said they were asked to take the Lutjen Study done by the developer and the Transystem Study done for the City and verify if the intersection at Regency Drive and 92 Highway would maintain the Level C rating with the development completed.

Mr. Yanez presented a power point slide show of the study. He said the main things they were to accomplish were: A. Confirm that Drive A and Regency Drive would operate effectually. B. Impact Drive A would have if went through to 19th Street. C. Do speed study on Regency Drive. D. Calming effects on Regency Drive.

He said they found both studies to be accurate. He said MoDOT comments had been addressed. The level of service at 92 Highway and Regency Drive should remain a C/D in the future. He said the key variance or omission from both studies was that they didn't account for traffic from Pour Boys.

COOK, FLATT AND STROBEL TRAFFIC STUDY-CONT Mr. Yanez said that the traffic modeling change they made would be to include access to Pour Boys from 92 Highway. He said they suggested a Right In/Right Out entrance but MoDOT would only consider a Right In. He said that entrance would maintain a level A of service well into the future. He said there would still be two drives off of Regency Drive.

Mr. Yanez said he rated the level of service by AM/PM which would take the busiest hour of each at the Pour Boy area. The Right In from 92 Highway would be an A/B. The first entrance from Regency Drive into Pour Boys and the Drive A and Regency Drive stop sign would be an A/A.

Mr. Yanez said Drive A and Regency Drive would maintain a level A of service at the intersection through 2013. He said the queue length of traffic for Northbound Regency Drive would be 29 feet. He said this intersection overall will function well into the future.

Mr. Yanez said the left turn movement from Regency Drive and Pour Boys through 2025 would be a level E/F without Drive A going through to 19th Street and would be level C/D with Drive A connecting to 19th Street.

Mr. Yanez said he had the following points in regard to Drive A connecting to 19th Street.

- A. Provide improved access to area.
- B. Provide arterial access to the area.
- C. Connection wouldn't be necessary at initial start of development.
- D. Consider when traffic would trigger the extension of Drive A.

He said two things that could trigger the extension would be when Westbound traffic turning left at 92 Highway and Regency Drive reaches a certain volume or when the Northbound left turn volume from Regency Drive to Drive A reaches a certain volume.

Mr. Yanez said in regard to the calming effects on Regency Drive, they reached the following concerns of the residents to be: speeding, cut through traffic and didn't want to lose the residential feel to the subdivision.

He said they would recommend the following changes:

- A. To do "necking" at the intersection of Regency and 19th Street.
- B. Do mid block "necking"
- C. Speed tables or humps

He said the necking will reduce the speed by seven percent. He said when you do it at the entrance it gives the driver the feel of entering a neighborhood. He said the speed humps are usually three to four inches high and can be wide enough to use as a cross walk, such as in the area of the swimming pool.

Mr. Yanez said due to the adverse winter weather they hadn't done the speed study. He said they hope to get it done by early February and will report back on that.

COOK, FLATT AND STROBEL TRAFFIC STUDY-CONT Alderman Gustin asked if Drive A would connect to Paddock Drive when extended to 19th Street. Mr. Yanez said it would be to the West of Paddock Drive.

Alderman Gustin asked if there would be any change to the Qwik Lube property. Mr. Yanez said probably not. The only thing might be a tiny sliver of Right Of Way at the intersection of Drive A and Regency Drive.

Alderman Gustin asked if parking is allowed on Regency Drive. Mr. Yanez said yes. He said you can consider roundabouts that do slow traffic but they have a significant impact for Right Of Way.

Alderman Gustin asked how far down on Regency Drive they did traffic counts. Mr. Yanez said they did them just North of 19th Street and then South of Pour Boys where the intersection would be. He said MoDOT is comfortable with the traffic counts.

Alderwoman Hayes asked what the rate of reduction in speed was for speed humps. Mr. Yanez said it is up to eighteen percent. She asked why you wouldn't do speed humps the entire length of Regency Drive.

Mr. Yanez said over use of speed humps is seen as negative by the Community. He said the maintenance is much higher for them. He said the "necking" is more of a psychological effect on the driver.

Alderwoman Hayes asked what the level of service at Pilot would be today. Mr. Yanez said it would be a level E lots of times a day. He said that entrance is governed by truck traffic and not the traffic patterns of the residents.

Alderwoman Hayes asked how you would formalize the triggering of the 19th Street connection. Mr. Yanez said this would be done through the Development Agreement. He said you could do an assessment and count each year. He said sometimes money is put in an escrow to cover a cost such as this.

Alderman Couchman asked if you do "necking" to calm traffic what impact does this have on cars parking on street. Mr. Yanez said these areas can be ten feet to fifty feet and are done with curbing. He said this does work better than with cars parking on the street. He said it would bring the lanes down to eleven feet lanes, which is still plenty wide enough for cars and school buses.

Mayor Dane said Regency Drive Northbound to Drive A shows an E/F. Mr. Yanez said that would be in 2013 with full development and the worst hour of the day.

Mayor Dane asked about the level of service at 92 Highway and Regency Drive. Mr. Yanez said they believe that will be a level C through 2025.

COOK, FLATT AND STROBEL TRAFFIC STUDY-CONT Mayor Dane asked if “necking” would slow down traffic more than cars parked on both sides of the street. Dallas Joplin said “necking” takes away the straight street appearance and the human factor is to slow down. He said “necking” is there one hundred percent of the time and the cars aren’t there all the time.

Alderman Holt asked why there aren’t any stop signs being added. Mr. Yanez said you could do stop signs but there are already two four-way stops now. He said there aren’t cross roads in the Southern part of Regency Drive.

Kim Murphy, 700 East 19th Street, asked if they are taking into account the possibility of a proposed entrance to I-35 at 19th Street. Mr. Yanez said it is far enough to the East to not interfere with that in the future.

Kim Murphy said he is concerned about the Right In/Right Out entrances. He said if the volumes get high then they want to put in concrete islands and we don’t like those.

Roger Eaton, 802 Regency Drive, said he is concerned with where the stop sign at Regency Drive and Drive A will be. He said he is worried about cars stacking past his house. Dallas Joplin said the model shows only twenty nine feet of stacking from the stop sign. He said the left turn lane at that intersection could be a level E/F but the rest of that intersection would be a level A. He said if the 19th Street connection occurs that would become a level C/D instead of E/F.

Michelle Woolf, 806 Regency Drive, asked who pays for the costs of speed bumps, “necking”, etc. Staff said the City will have to correct those existing problems on Regency Drive.

Roger Eaton asked how they will conduct the speed study. Dallas Joplin said they will use radar guns. Mr. Eaton said they are welcome to sit on his porch and run the radar gun. Mr. Joplin said they will do two or three afternoons for four to five hours and will be in their personnel cars.

There being no more comments from the public, Mayor Dane closed the floor.

PUBLIC REQUESTS & PETITIONS

APPROVING SHOPPES AT KEARNEY TIF PLAN, MAKING FINDINGS RELATING TO THE PLAN, ESTABLISHING THE SHOPPES AT KEARNEY SPECIAL ALLOCATION FUND, ESTABLISHING A REDEVELOPMENT AREA, DESIGNATING THE REDEVELOPMENT AREA AS A BLIGHTED AREA, AUTHORIZING CERTAIN ACTIONS BY CITY OFFICIALS AND DESIGNATING STAR ACQUISITION, LLC AS THE DEVELOPER ORDINANCE NO. 1127-2010

Staff said an amendment has been added to the ordinance which is as follows:

Section 9. The City Staff, the City's special legal counsel, the City's consultants and other appropriate City officials are hereby authorized and directed to investigate a solution to fund the extension of Drive A South from the Southern boundary of the Redevelopment Area so that it connects with West 19th Street, as described in "The Shoppes at Kearney Traffic Study Review and Analysis" dated January 2010, prepared by Cook, Flatt & Strobel Engineers, P.A. and to work with the Developer to include in the redevelopment agreement between the City and developer a method by which the redevelopment project will assist in the funding of said road improvements.

Rich Wood said two ordinances were read at the December 7th meeting. We will only approve this one ordinance tonight and then we will begin to work on the Redevelopment Agreement.

Mayor Dane said this amendment doesn't say the developer has to pay for the road.

Alderman Hayes asked how this would help pay for the road. Rich Wood said we could extend the number of years for the TIF.

Alderman Hayes asked if we will have a chance after to night to vote on this again. Mr. Wood said the Board of Aldermen would again have a chance to vote on this when we do the Redevelopment Agreement.

Alderman Hayes asked if the project could be pulled at this time. Mr. Wood said the City could reject the project or the developer could decide to pull the project.

A motion was made by Alderman Couchman and seconded by Alderman Gustin to amend Bill NO. 24-2009 to include Section 9 as read. The motion carried unanimously.

A motion was made by Alderman Holt and seconded by Alderman Gustin to place Bill No. 24-2009 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. 1126-2009**.

TOM PATTERSON, CONSIDER OUTDOOR STREET LIGHTING STANDARDS

Tom Patterson, 201 East 20th Terrace, said he is recommending the City become more stringent on Outdoor Street Lighting Standards. He presented a copy of the Pueblo, Colorado ordinance and another model ordinance. He said he would like to see the City become more proactive in regard to outdoor lighting standards.

Alderman Gustin asked if we weren't currently working with MARC on this. Staff said we are working on street lighting for West Washington at the present time.

Mayor Dane said we will certainly take this under consideration.

NEW BUSINESS

REAPPOINTMENT OF CID DIRECTORS Mayor Dane said he is recommending the Board of Aldermen consider re-appointment of Jeff Couchman, Jenny Hayes and Dan Holt to the Kearney West Side Community Development Improvement District Board of Directors.

A motion was made by Alderman Holt and seconded by Alderman Gustin to re-appoint Jeff Couchman, Jenny Hayes and Dan Holt to the Kearney West Side Community Development Improvement District Board of Directors. The motion carried unanimously.

ALDERMEN DISCUSSION

ALDERMAN HOLT Alderman Holt said we need to notify MoDOT that there are severe pot holes by the railroad tracks and when you turn North on Platte Clay Way.

Alderman Holt said we also need to look at the piles of snow blocking traffic at intersections such as on Sam Barr Drive. Mayor Dane said we need to have the street crews check these places and we may have to haul off some snow.

ALDERMAN COUCHMAN Alderman Couchman said he wanted to compliment the Street Department on the great job they did with the adverse snow storms we had.

MAYOR DANE Mayor Dane said we had twenty one people bidding on the police station renovation project. He said we have the architect reviewing the three lowest bids and we may have a special meeting to accept the low bid when the review is done.

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 January 19, 2009 meeting:

ORG/VENDOR NAME	WARRANT: 011910	AMOUNT
* 1996 SRF REV BD Expense		
UMB BANK		7,529.50
* 2001 SRF Rev Bd Expense		
UMB BANK		15,256.82
* City Hall Expenses		
BIG V SUPERMARKET		42.25
CINTAS CORPORATION #690		120.41
DE LAGE LANDEN FINANCIAL SERVICES		60.00
DEFFENBAUGH INDUSTRIES		20.00
R. BRIAN HALL, PC		2,310.00
KRAMER HARDWARE		26.30
MID-AMERICA REG. COUNCIL		100.00
MISSOURI GAS ENERGY		845.82

MO DEPT OF REVENUE	35.00
NPG NEWSPAPERS INC	465.14
STAPLES ADVANTAGE	108.99
TYLER TECHNOLOGIES, INC.	6,618.00
UNISOURCE, INC	280.36
CARD SERVICES (VISA)	2,055.44
* Community Development Dir	
BIG V SUPERMARKET	6.99
CINTAS CORPORATION #690	29.85
DE LAGE LANDEN FINANCIAL SERVICES	31.00
MO FLOODPLAIN & STORMWATER	25.00
O'REILLY AUTOMOTIVE INC	30.38
DAVID PAVLICH	167.04
UNISOURCE, INC	108.40
CARD SERVICES (VISA)	116.44
* Court & Legal Expenses	
LARRY E BUTCHER	950.00
R. BRIAN HALL, PC	1,680.00
RAY COUNTY SHERIFF/TREASURER	105.00
* General Admin. Revenues	
BAC TAX SERVICES CORPORATION	920.00
JOHN OR BRANDI BRAYLEY	20.29
CHASE HOME FINANCE LLC	80.74
CITIMORTGAGE, INC	106.82
BRADLEY P OR MEGAN M EISE	200.56
GMAC MORTGAGE	356.05
JOSEPH HARVEY	131.92
STEVEN A OR MARY K HOY	41.98
DOUGLAS C JANISSE	186.98
LESLIE RAE LONG	3.68
GRANT A PIEPERGERDES	148.76
STEVEN P SMITH	122.99
JERAD L STRODE	107.40
BREE ANN SWITZER	135.92
* General Fund Balance Acct	
ING FINANCIAL ADVISERS,LLC	1,171.33
MO DEPT OF PUBLIC SAFETY	79.00
MO DEPT OF REVENUE-CVC	527.25
SYNERGY SERVICES INC	158.00
* Park Fund Expenses	
BIG V SUPERMARKET	349.25
CINTAS CORPORATION #690	18.51
DEFFENBAUGH INDUSTRIES	84.00
EMPORIA STATE UNIVERSITY	1,315.00
KRAMER HARDWARE	241.13
PUBLIC WATER SUPPLY	15.30
QUICK STOP	490.00
CARD SERVICES (VISA)	359.48
WEST KEARNEY WINNELSON	14.51
* Park Special Projects	
ASCAP	603.05
* Police Dept. Expenses	
ALAMAR UNIFORMS OF KANSAS CITY	86.94
ALTERATIONS AND	12.50
AMERICAN PRIDE EXPRESS LUBE	61.90
BIG V SUPERMARKET	199.16
CITY OF KEARNEY-PETY CSH	150.00

CLAY CO SHERIFF'S DEPT	5,003.40
CSE, INC	331.50
DEFFENBAUGH INDUSTRIES	20.00
KANSAS CITY MO POLICE DEPT	200.00
KEARNEY BODY SHOP	40.00
KRAMER HARDWARE	55.30
MOCIC	150.00
MIDWEST RADAR & EQUIP.	116.95
MISSOURI GAS ENERGY	687.65
MISSOURI PEACE OFFICERS	60.00
O'REILLY AUTOMOTIVE INC	47.43
SHELL	1,115.35
STAPLES ADVANTAGE	109.00
THE UPS STORE	28.29
CARD SERVICES (VISA)	600.47
* Police Station Debt	
KEARNEY TRUST COMPANY	7,524.01
* Sewer Plant Expenses	
BIG V SUPERMARKET	8.99
DEFFENBAUGH INDUSTRIES	20.00
FTC EQUIPMENT, LLC	138.40
KRAMER HARDWARE	50.43
MIDWEST LABORATORIES INC	497.65
WEST KEARNEY WINNELSON	5.20
WESTERN FIRST AID & SAFETY	18.88
* Street Department Expense	
AKIN, GORDON & COWGER	1,863.65
AMERICAN EQUIPMENT CO	42.00
CINTAS CORPORATION #690	85.20
DEFFENBAUGH INDUSTRIES	30.00
FERRELLGAS, INC.	1,292.53
INTERSTATE AUTO & TOWING	75.00
KNAPHEIDE TRUCK	397.70
KRAMER HARDWARE	124.87
THE LARKIN GROUP	1,066.25
LONG VET CLINIC	30.00
NEWMAN TRAFFIC SIGNS	913.44
O'REILLY AUTOMOTIVE INC	60.96
LONNIE PARKER	225.00
PLATTE CLAY ELECTRIC	6,500.56
PORTER'S BUILDING CENTER	26.53
CHRIS SHIPLEY EXCAVATING	3,530.00
* W & S Admin. Expenses	
AMERICAN PRIDE EXPRESS LUBE	32.65
CENTURYLINK	167.67
CINTAS CORPORATION #690	108.96
FIELD GYMMY, INC.	52.18
MISSOURI SALES TAX	1,780.95
O'REILLY AUTOMOTIVE INC	12.99
PERFORMANCE TRUCK AND SUV	556.50
* W & S Oblig. Expenses	
UMB BANK	5,600.77
* W & S Oblig. Revenue	
BAC TAX SERVICES CORPORATION	80.00
JOHN OR BRANDI BRAYLEY	1.76
CHASE HOME FINANCE LLC	7.02
CITIMORTGAGE, INC	9.29

BRADLEY P OR MEGAN M EISE	17.29
GMAC MORTGAGE	30.96
JOSEPH HARVEY	11.47
STEVEN A OR MARY K HOY	3.65
DOUGLAS C JANISSE	16.26
LESLIE RAE LONG	.32
GRANT A PIEPERGERDES	12.94
STEVEN P SMITH	10.70
JERAD L STRODE	9.34
BREE ANN SWITZER	11.82
* W&S Revenue Balance Acct	
ING FINANCIAL ADVISERS,LLC	135.00
* Water Plant Expenses	
AIR COMPRESSOR	461.12
AMERICAN BACKFLOW	72.00
BROADVIEW SECURITY	31.95
CINTAS CORPORATION #690	11.00
DEFFENBAUGH INDUSTRIES	20.00
FERRELLGAS, INC.	537.63
FRIES LAWN & LEISURE INC	754.26
HD SUPPLY WATERWORKS	2,173.17
KCMO WATER SERVICES	13,007.86
KEARNEY FEED & SUPPLY	13.50
KRAMER HARDWARE	488.74
MICRO-COMM INC	180.25
MISSOURI GAS ENERGY	1,353.16
MISSOURI ONE CALL SYSTEM, INC.	66.00
O'REILLY AUTOMOTIVE INC	8.21
PORTER'S BUILDING CENTER	48.90
THE UPS STORE	61.61
CARD SERVICES (VISA)	254.98
WEST KEARNEY WINNELSON	1,246.01
WESTERN FIRST AID & SAFETY	18.87

TOTAL	110,196.8

APPROVED: _____ ATTEST: _____
 Billy R. Dane, Mayor Joan H. Updike, City Clerk