

February 1, 2010

The Board of Aldermen, City of Kearney, Missouri, met in regular session at Kearney City Hall, 100 East Washington, February 1, 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 19th meeting
- Bills presented for payment
- Electric Power Washer for Water Department

Alderman Gustin asked if the Water Department was happy with the low bid. Staff said they are.

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

ADMINISTRATOR'S REPORT

POLICE STATION RENOVATION BIDS Staff presented a memo from Architect Rich Kuhl, who recommended the lowest bidder as Vanum Construction for \$205,000 and also recommended the second lowest bidder as Glen Rogers Construction for \$209,665 if the Board of Aldermen determines that the use of more Kearney subcontractors is in the best interest of the City. Vanum is using two local contractors and Glen Rogers is using five local contractors.

Staff said the City's purchasing policy provides when an award is not given to the lowest bidder, a full and complete statement of the reasons for placing the order elsewhere shall be entered in the minutes of the Board of Aldermen.

Rich Kuhl said he has met with all three low bidders and is comfortable with their bids.

Mr. Kuhl said there may be as much as another \$6,000 in credits from the bidders based on responses in the Bid Clarifications. He said they believe the concrete slab at the drive through area is in good condition and we will be able to remove the cost of soil removal from the bid.

Mr. Kuhl said there is someone interested in the night depository. They will pay for the depository and remove it at no cost to the City. If that occurs that cost will also be removed from the bid.

POLICE STATION RENOVATION BIDS-CONT Mr. Kuhl said it will take six to eight weeks to get the detention equipment. All the contractors said that would cause no change in their bids.

Alderman Gustin asked if we have references on the contractors. Mr. Kuhl said he has worked with both of them and would be comfortable with either one of them doing the job.

Alderman Couchman asked if we chose the one because they are using more local contractors, what do we do to hold them to that. Mr. Kuhl said he will put that in their letter awarding the contract.

Alderwoman Hayes asked what portion of the contract is given to local contractors. Mr. Kuhl said he didn't have that figure. Vanum is using two local contractors for the mechanical. Glen Rogers is using those same two and then also using Taff Carpet, Kent Mohler Exterior Siding and Kearney Heating and Cooling.

Mayor Dane said when we advertised for the bids we asked them to use as many Kearney businesses as possible. He said if we accept Glen Rogers we must make them understand we expect them to use the sub contractors listed.

A motion was made by Alderman Holt and seconded by Alderwoman Hayes to accept the bid of Glen Rogers for \$209,665 with the understanding that they must use the local contractors listed. The motion carried unanimously.

Mayor Dane asked Mr. Kuhl to notify Glen Rogers. He asked how soon they would start. Mr. Kuhl said probably in about two weeks because it will take a week to get the bonding documents done.

DESIGN STAIRWAY FOR POLICE STATION Staff said due to the excellent bid prices, there is room in our budget to include a second stairway, enabling the basement to be code compliant for occupancy. Staff said they would like to authorize the architect to design the stairway project and review and recommend such other prioritized projects on a time and expense basis in order to negotiate a price with the successful bidder.

Alderman Couchman asked if we had a price for the design work. Mr. Kuhl said he didn't have an exact figure but it would be \$5,000 to \$6,000 maximum. He said they could do the work on an hourly fee.

Mayor Dane said we can't use the basement without two areas of egress/ingress. He asked Mr. Kuhl how long it would take him to get a cost to City Staff. He said he would have that done in a couple days.

A motion was made by Alderman Couchman and seconded by Alderman Holt to approve hiring WSKF Architects to design the stairway project and additional work on the Police

DESIGN STAIRWAY FOR POLICE STATION-CONT Station Renovation subject to a \$5,000 maximum fee and if it exceeds that figure it would come back to the Board of Aldermen. The motion carried unanimously.

It was with unanimous consent of the Board of Aldermen that Mr. Kuhl pursues the credits for the project and they would be handled as change orders. Staff did ask that the removal of the night depository be done under the direction of Glen Rogers Construction. They would be held responsible for any damage done to floor, etc.

CLARK THOMPSON WASTEWATER DISINFECTANT EQUIPMENT DESIGN RESOLUTION NO. 01-2010 A Resolution, authorizing the Mayor to sign a contract with Larkin Associates to prepare a preliminary design for wastewater disinfectant equipment and report for \$10,000, was presented and read by Title only.

Staff said in response to a letter from the Department of Natural Resources, we have submitted a time line for design and construction of disinfectant equipment at the existing wastewater treatment plant as required by the terms of the City's NPDES discharge permit.

Clark Thompson, Larkin Associates, presented a contract to prepare a preliminary design and report for \$10,000. He said because of Staff's quick reaction to the letter we have the maximum amount of time to get this done. We have until 2013 to complete the project.

Mr. Thompson said this requires a channel with ultra violet treatment for the discharge water to go through before it leaves the plant. The water flows along the bulbs and they kill bacteria. He said we would be required to do this treatment from April 1 through November 30 each year.

Alderman Holt asked how often we would have to replace the bulbs. Mr. Thompson said the bulbs usually have a two year life and there would be between 40 and 60 bulbs to the system. He said you replace the bulbs when they lose their intensity and the cost would be between \$8,000 and \$10,000.

Alderman Couchman asked how many other plants have this system. Mr. Thompson said the State notified over 90 plants and the Kansas City Regional office also sent out more letters. He said at the present time they are mainly in the Southern part of the State and particularly down by Lake Taney Como.

Mayor Dane said we don't have a choice about doing this. If we don't comply the fine is \$10,000 a day. Staff said we would like to have this completed nine or ten months before the dead line.

Mr. Thompson said he will have better cost figures, etc. after he gets the report stage completed.

CLARK THOMPSON WASTEWATER DISINFECTANT EQUIPMENT DESIGN RESOLUTION NO. 01-2010

Mayor Dane said we would like to build up a fund balance to pay for this rather than have to do a loan. He said the cost will probably be \$250,000 or more. We may be able to use some of our employees or get a local contractor to build the building to cover the channel and that would save cost.

A motion was made by Alderman Holt and seconded by Alderwoman Hayes to approve the Resolution authorizing the Mayor to sign a contract with Larkin Associates to prepare a preliminary design for wastewater disinfectant equipment and report for \$10,000. The motion carried unanimously.

I-35 PAVEMENT REPLACEMENT AND RAMP CONSTRUCTION Staff reported that Idecker Construction has the contract for I-35 pavement replacement in 2010 and plans to complete the entire project in calendar 2010. They held a public meeting here at City Hall last week.

Mayor Dane asked about the bridge decks. Staff said they will be redoing them in place. They won't be widening 92 Highway but they will be extending the Southbound ramp onto I-35 and the Northbound ramp coming off I-35 at 92 Highway.

PUBLIC REQUESTS & PETITIONS

MICHELLE DOWNEY REQUEST FOR RURAL RESIDENTIAL TO INCLUDE HORSES David Pavlich presented a letter from Michelle Downey of Beverly Park Estates asking that the Zoning Ordinance be restored to include horses, which was removed in the 2008 Zoning Amendment.

Staff said Ms. Downey is going to be moving and will be putting her house on the market and she feels it would be more marketable if you could have horses.

Mayor Dane asked what would happen if we changed the zoning to Residential Agricultural. Staff said under the old ordinance it allowed all animals but the current subdivision ordinance prevents chickens, goats, pigs, etc.

Alderman Couchman said the County doesn't allow animals on lots less than three acres.

Mayor Dane asked if the horse trails are still in that subdivision. Staff said they have been removed.

Alderwoman Hayes asked if RA zoning is in our current codes and if there are horses anywhere within our City limits. Staff said we don't have RA in our current code. We do have some horses at Clear Creek and 92 Highway. Any property over ten acres can have horses.

Alderwoman Hayes asked if Ms. Downey had had horses at the time of the update would, we have allowed them. Staff said yes.

MICHELLE DOWNEY REQUEST FOR RURAL RESIDENTIAL TO INCLUDE HORSES-CONT Staff said we could do an amendment to allow horses but it would have to go through Planning and Zoning.

Mayor Dane said he is opposed to changing the rules for just one person, when the rest of the residents may not want animals. He said he thought Ms. Downey should have to go to all the residents of the subdivision and see how they feel about this.

Alderman Gustin said he agreed with that idea.

Alderman Holt said he had thought she wanted this so she could have a horse rather than just trying to make her home more marketable.

It was the general consensus of the Board of Aldermen to instruct Ms. Downey to go to her neighbors and get consent before we pursue this any further.

NEW BUSINESS

REDUCTION OF BUILDING PERMIT FEES UNTIL JUNE 30, 2010

ORDINANCE NO 1127-2010 Bill No. 01-2010, an ordinance to encourage economic development and initiate construction of new housing by reducing building permit fees to \$300 until June 30, 2010, was presented and read by Title only.

Mayor Dane said we did twenty five free permits last year, seven permits at half price and four full price permits. He said Liberty is offering eighty percent off the permit fee and Smithville is allowing them to pay the building permit fees at closing on the house.

Mayor Dane said the \$300 will almost cover the cost of meter parts, etc. and the rules will be the same as last year. They must solicit local contractors.

Alderman Gustin asked what were the highlights and pitfalls of this process last year. Staff said some builders had trouble getting local contractors to respond back in a timely fashion. A couple contractors sent out receipt of mailing letters asking them to respond in two weeks. We also allowed them to fax authorizations for bids.

Staff said we heard very little negative feedback, most of it being positive. We did allow them to get the bids for the beginning work and then they could get the rest of the bids within thirty days. This helped speed up the process for the builder trying to beat weather, etc.

A motion was made by Alderman Gustin and seconded by Alderwoman Hayes to approve the ordinance as read on the first reading. The motion carried by a vote of three to one with Alderman Couchman abstaining.

A motion was made by Alderman Holt and seconded by Alderman Gustin to place Bill No. 01-2010 on its second and final reading. Said Bill was thereupon read and

REDUCTION OF BUILDING PERMIT FEES UNTIL JUNE 30, 2010

ORDINANCE NO 1127-2010 considered, and was duly passed by the following roll call vote: Voting for the Motion: Gustin, Hayes and Holt. Abstaining on the Motion: Couchman. The motion carried by a three to zero vote with one abstaining. The Bill was then duly numbered **Ordinance No. 1127-2010**.

Mayor Dane said he has met with three or four people (real estate agent, banker, and builder) to consider offering to pay moving costs for the first five to ten people moving to Kearney. He said he will be reporting back to the Board of Aldermen later on this.

ALDERMEN DISCUSSION

ALDERWOMAN HAYES Alderwoman Hayes said at the last meeting there was talk about triggers to do the extension of Drive A to 19th Street and she wondered what was being done.

Staff said we will have Sabin Yanez work on that and put it in the development agreement with the developer as to what triggers the extension of that roadway.

ALDERMAN GUSTIN Alderman Gustin asked where we stand with the County collecting taxes. Staff said the collector said she couldn't do it if she didn't get another employee so we assumed the idea was dead when she didn't get another employee. Then we received a call from the County saying they are working on drawing up an agreement in regard to collecting taxes.

Alderman Gustin asked what it would cost us. Staff said they would make one percent (approximately \$10,000) so it wouldn't pay for another employee. Staff said we have tried to encourage them to use Liberty, North Kansas City or Gladstone first.

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

The following bills were presented for payment at the February 2, 2010 meeting:

ORG/VENDOR NAME	WARRANT: 020110	AMOUNT
* 1996 SRF REV BD Expense		
UMB BANK		5,107.00
* 2001 G.O. Hwy Bds Expense		
UMB BANK, N.A.		493,140.63
* 2001 SRF Rev Bd Expense		
UMB BANK		14,955.44
* City Hall Expenses		
BILLY R DANE		175.00
JIM ELDRIDGE		127.70
INTL COUNCIL OF SHOPPING CENTERS		100.00
KEARNEY CHAMBER OF		50.00

NPG NEWSPAPERS INC	112.58
PITNEY BOWES	2,000.00
PORTER'S BUILDING CENTER	.00
TCOM INC	450.00
U.S. POSTAL SERVICE	2,000.00
VERIZON WIRELESS	52.19
* Community Development Dir	
AMERICAN PLANNING ASSOC	130.00
CINTAS CORPORATION #690	19.90
CONOCO	54.83
VERIZON WIRELESS	106.32
* DWI/Drug Fund Expenses	
DIGITAL ALLY	8,650.00
* Economic Development	
KEARNEY AREA DEV COUNCIL	11,250.00
* General Admin. Revenues	
GERALD BINDEL	60.00
CANDI RUECHEL	48.83
SUNSHINE ENERGY, LLC	34.00
SHERI THOMPSON	15.50
TJ'S TREE SERVICE	29.52
XEROX CORPORATION	2.24
* General Fund Balance Acct	
AFLAC/REMITTANCE	245.56
ING FINANCIAL ADVISERS,LLC	1,171.33
MISSOURI LAGERS	10,265.30
* Meter Deposit Expenses	
ANDREW CARMACK	14.41
HIGDON/MCNARY CONSTRUCTION	40.75
CURTIS JORNS	23.41
EDWARD ROBERTS	23.41
ROBERTSON CONSTRUCTION,LLC	37.65
STERVINO CONSTRUCTION	58.19
* Old Church TIF Debt Expen	
DEW PROPERTIES, LLC	41,094.04
* Park Fund Balance Acct	
MISSOURI LAGERS	1,075.87
* Park Fund Expenses	
CINTAS CORPORATION #690	12.34
NANCY DANIELS	26.00
PITNEY BOWES	1,000.00
PLATTE CLAY ELECTRIC	3,026.68
VERIZON WIRELESS	108.80
* Police Dept. Expenses	
ALLMED	39.96
AMERICAN PRIDE EXPRESS LUBE	29.95
THE ARMORY	19.90
BOARD OF POLICE	22.53
CITY OF KEARNEY-PETY CSH	150.00
CONOCO	1,541.14
HUNTS CAR CARE CENTER	17.67
INTERSTATE BATTERIES	257.80
J & K AUTO REPAIR	138.45
KWIK LUBE	29.95
ORSCHELNS CARD CENTER	64.97
PLATTE CLAY ELECTRIC	253.69

VERIZON WIRELESS	344.71
* Police Station Expenses	
WILLIAMS SPURGEON KUHL & FRESHNOCK	12,191.16
* Pooled Cash	
BLUE CROSS BLUE SHIELD OF KC	17,407.71
DELTA DENTAL OF MISSOURI	1,571.68
VISION SERVICE PLAN (IC)	426.31
* Sewer Plant Expenses	
ALLIED WASTE SERVICES	105.04
BROADVIEW SECURITY	31.95
HEATH SALES AND SERVICE	522.93
PLATTE CLAY ELECTRIC	7,603.31
* Solid Waste	
DEFFENBAUGH INDUSTRIES	21,365.75
* Street Department Expense	
CINTAS CORPORATION #690	56.80
CONOCO	3,078.96
DEAN MACHINERY CO	695.16
DEFFENBAUGH DISPOSAL	1,400.00
FASTENAL INDUSTRIAL&CONSTR SUPPLIES	53.40
MFA OIL COMPANY	1,000.00
ORSCHELNS CARD CENTER	156.45
PLATTE CLAY ELECTRIC	490.04
PORTER'S BUILDING CENTER	38.67
VERIZON WIRELESS	109.93
* W & S Admin. Expenses	
CINTAS CORPORATION #690	72.64
CITY OF KEARNEY	26,296.17
CONOCO	589.10
KWIK LUBE	32.65
MFA OIL COMPANY	242.62
MO DNR-DMS RECEIPT &	579.74
VERIZON WIRELESS	175.87
* W & S Oblig. Expenses	
UMB BANK	3,664.60
* W & S Oblig. Revenue	
CANDI RUECHEL	4.25
TJ'S TREE SERVICE	2.55
XEROX CORPORATION	.20
* W&S Revenue Balance Acct	
ING FINANCIAL ADVISERS,LLC	135.00
MISSOURI LAGERS	3,016.82
* Water Plant Expenses	
BRENNTAG MID-SOUTH, INC	2,480.94
BROADVIEW SECURITY	31.95
CINTAS CORPORATION #690	11.00
ORSCHELNS CARD CENTER	152.03
PLATTE CLAY ELECTRIC	1,668.25
PUBLIC WATER SUPPLY DIST#6	600.00
WEST KEARNEY WINNELSON	37.01

TOTAL	707,904.78

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

