

April 5, 2010

The Board of Aldermen, City of Kearney, Missouri, met in regular session at Kearney City Hall, 100 East Washington, April 5, 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, Shirley Zimmerman, Jay Bettis, Gary Lawson 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 the March 15th meeting
- Bills presented for payment
- **Resolution No. 07-2010** Aerial Mapping Cost Share with MARC, \$1,641.51
- **Resolution No. 06-2010** Change Order Lowering Police Station Contract Cost
- Street Department Trailer, Low Bid Clinton County Trailer for \$5,525 less \$2500 trade in

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

RECOGNITION OF STATE CHAMPIONSHIP BASKETBALL TEAM

RESOLUTION 05-2010 A Resolution, recognizing Coach Gary Belcher and the 2010 Missouri 4A State Championship Basketball team, was presented and read in its entirety.

Mayor Dane congratulated the team and coach and remarked how wonderful it was to see the entire community come out and support the team. A DVD slide show of pictures of the Championship Game was shown.

A motion was made by Alderman Gustin and seconded by Alderman Holt to approve the Resolution recognizing Coach Gary Belcher and the 2010 Missouri 4A State Championship Basketball Team. The motion carried unanimously.

Mayor Dane introduced Coach of the Year, Gary Belcher. Mr. Belcher gave a summary of the accomplishments of the team for the year.

Mayor Dane and Board President, Alan Gustin presented each member a copy of the Resolution and a copy of the DVD.

ADMINISTRATOR'S REPORT

UTILITY SERVICE CO WATER TOWER AND STANDPIPE MAINTENANCE

Staff reported that Tom Stechmann, Utility Service Company, has a presentation on water tower maintenance. He has maintained an office in the Kearney area for the past eight years and has performed tank inspections and repairs for the City in the past.

Staff said we have asked him to prepare a cost estimate for a multi-year maintenance contract to repaint and repair the Variform Standpipe and the I-35 water tower.

Both need repairs and re-painting and can be completed this year by entering into a multi-year maintenance contract costing \$56,135 annually. Staff said we think this is the best way to address water tower maintenance.

Mr. Stechmann did a Power Point presentation showing how his company operates. He said he lives in the Kearney area and would take great pride in the towers in Kearney looking the very best.

Mayor Dane said we have the money in the budget to do this. He said the best part of this deal is that Utility Service Company would assume all risks and responsibility for the towers.

Alderman Couchman asked how long the price would be good. Mr. Stechmann said it is an annual contract and the City can get out of it at any time. He said they figured the cost for seven years when putting this plan together and more than likely it would be good for ten years.

Mr. Stechmann said the water tower South of town was painted grey to mask mildew. He said they would paint it white and clean it each year.

Alderman Holt said there was some sign of corrosion on the inside and what happens if it needs relined. Mr. Stechmann said they assume the cost.

Alderman Couchman asked about adding the third tower to the program. Mr. Stechmann said they can come back with a price for that.

Staff said they have done some work for us and we have been very pleased with their workmanship. He said we have done it the other way where we have to hire an engineer and then go out for bids. The fact that we have to do prevailing wage, etc. drives up the cost. This way the City won't have to do anything.

A motion was made by Alderman Couchman and seconded by Alderwoman Hayes for City Staff to work with Brian Hall, City Attorney, to negotiate a contract with Utility Service Company to repaint and repair the Variform Standpipe and the I-35 water tower for an annual cost of \$56,135. The motion carried unanimously.

MACK PORTER TRAIL BID DELAY Staff reported that after a pre-bid conference with contractors interested in bidding the Mack Porter Trail, we have delayed the bid

MACK PORTER TRAIL BID DELAY-CONT opening to obtain soil samples to determine the appropriate moisture. We believe it will be difficult to pass proof roll test with the gumbo soil without adding fly ash or lime to the soil.

Staff said the engineer recommends hiring Terracon and Associates for \$2,500 to perform the soil testing and analysis.

A motion was made by Alderman Gustin and seconded by Alderman Holt to hire Terracon and Associates for \$2,500 to perform the soil testing and analysis for the Mack Porter Trail Project. The motion carried unanimously.

ENTERPRISE ZONE HEARING SET FOR APRIL 19TH Staff said a multi-jurisdictional enterprise zone is being proposed by the City of Excelsior Springs and it involves unincorporated Clay County, Prathersville, Mosby and Kearney. The airport property would be included in the plan if Prathersville participates, which we understand they will although they will not be approving any targeted industries for abatement.

Staff said a public hearing is scheduled for the April 19th meeting for the Board of Aldermen to consider approval of a proposed ordinance joining the enterprise zone.

CLEAN UP DAYS ARE MAY 8TH AND MAY 15TH Staff said we will be having Spring Clean Up Days, May 8th for North of 92 Highway and West of the Railroad tracks and May 15th for all residents South of 92 Highway and East of the railroad tracks.

Alderman Gustin asked if we would be doing a fall clean up. Staff said unless the cost is really high in the spring we would also do a fall one.

PUBLIC REQUESTS & PETITIONS

SPARKY'S BARBECUE GREASE TRAP WAIVER Staff presented a memo from Water and Sewer Superintendent, Jay Bettis, recommending a waiver of the grease trap requirements for Sparky's Barbecue, a new restaurant to be located in the Maggie's Attic space in Kearney Commercial Center. The waiver is consistent with previous requests from existing businesses that are unable to comply with the 1,500 gallon grease trap requirement for new construction.

Jay Bettis said he has looked at this and believes the 20 pound commercial grease trap interceptor will be sufficient. He said they have agreed to have the grease trap professionally inspected and cleaned twice per year.

Alderman Gustin asked what it means by professionally inspected and cleaned. Mr. Bettis said Roto Rooter and Ace Pipe both do this type of work.

Alderman Gustin said maybe we should tie the inspection of grease traps in with the renewal of their City license. Mr. Bettis said we are currently working on a grease trap ordinance that would do that.

SPARKY'S BARBECUE GREASE TRAP WAIVER-CONT Alderman Holt said we should have some type of documentation that we can keep on file.

Mayor Dane asked what type of follow up the City would have. Mr. Bettis said we would keep a calendar showing when grease traps would be due for inspection and cleaning. They would then have to provide the City with documentation from the Company doing the work. It would work just like the back flow testing program works.

Alderman Couchman asked if the size is too small. Mr. Bettis said the size isn't the issue. The small size is just as effective for this type of business as long as it is inspected and cleaned on a schedule.

A motion was made by Alderman Couchman and seconded by Alderman Holt to approve the waiver of the grease trap requirements for Sparky's Barbecue, a new restaurant to be located in the Maggie's Attic space in Kearney Commercial Center and allow them to install a 20 pound commercial grease trap interceptor and provide documentation of it being professionally cleaned and inspected twice a year. The motion carried unanimously.

BILL SHULL-BEVERLY PARK FIREWORKS DISPLAY Staff presented a request from Bill Shull to conduct a July 3rd Fireworks Display at his residence, 1805 Paddock Drive, in Beverly Park Subdivision, using Class C fireworks, for which he is licensed.

Mayor Dane asked Mr. Shull if he had the proper permits, etc. Mr. Shull said yes.

A motion was made by Alderman Holt and seconded by Alderman Gustin to approve the request from Bill Shull to conduct a July 3rd Fireworks Display at his residence, 1805 Paddock Drive, in Beverly Park Subdivision, using Class C fireworks. The motion carried unanimously.

PUBLIC HEARINGS

WATER AND SEWER RATE INCREASE Bill No. 07-2010, an ordinance **ORDINANCE NO. 1133-2010** increasing the water and sewer rates for the FY2011 budget, was presented and read by Title only.

The floor was opened to the public.

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

A motion was made by Alderwoman Hayes and seconded by Alderman Holt to approve the ordinance as read on the first reading. The motion carried by a vote of four to zero.

A motion was made by Alderman Gustin and seconded by Alderman Holt to place Bill No. 07-2010 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:

Gustin, Hayes, Couchman and Holt. The motion carried by a four to zero vote. The Bill was then duly numbered **Ordinance No. 1133-2010**.

Alderman Gustin asked what percentage of water usage is coming from our wells. Mr. Bettis said for the last forty five days one hundred percent has come from the wells. He said they are at their highest level in a long time. For the last year we got seventy five percent from our wells and twenty five percent from Kansas City.

NEW BUSINESS

ALLTEL COURT SETTLEMENT Bill No. 08-2010, an ordinance approving the **ORDINANCE NO. 1134-2010** court settlement with Alltel, was presented and read by Title only.

Staff said although the City has never participated in this litigation, we are in the affected class. The settlement is for \$1,052.95 for uncollected franchise taxes.

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 four to zero.

A motion was made by Alderman Holt and seconded by Alderman Couchman to place Bill No. 08-2010 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: Gustin, Hayes, Couchman and Holt. The motion carried by a four to zero vote. The Bill was then duly numbered **Ordinance No. 1134-2010**.

STREET BID PROJECTS/PAVING FEED STORE ALLEYWAY Staff presented a memo with a list of proposed street maintenance projects prepared by Street Superintendent, Gary Lawson. Staff said these projects will also go to the Road District Board to review and approve.

Staff also presented two bids for asphalt overlay of the Feed Store alleyway. The Kearney Feed Store is proposing to asphalt their parking area and have asked the City to join them in the project. We have long offered to do this. It is nearly the only public drive that remains unpaved in town. We have proposed a four inch overlay.

The lowest and best bid is Lewellen Construction for \$14,388 because that is the contractor that owner Kelly Brammer prefers to use.

Alderman Holt asked if we are making this become a road by paving it. He said maybe we should do a thicker overlay. He said there will be trucks driving on it. Staff said we will do a four inch overlay and it should be fine. The grading contractor will compact it before the asphalt is poured.

Alderman Couchman said it will be good to have that area dust free.

STREET BID PROJECTS/PAVING FEED STORE ALLEYWAY-CONT Mayor Dane said this isn't a very heavily traveled area and it should be fine.

Alderman Gustin asked if we had gotten a bid for concrete. Staff said no and we really prefer asphalt.

Alderman Holt said he had driven down there recently and there were a lot of ruts there. Staff said this area has had a lot of gravel put on it and it has a good base. Mayor Dane said we will do a compaction test on the area before the asphalt is put down.

Mayor Dane said he would like City Staff to assign a name to the road.

A motion was made by Alderman Holt and seconded by Alderwoman Hayes to approve the list of proposed street maintenance projects and accept the bid from Lewellen Construction for \$14,370 to pave the Feed Store alleyway. The motion carried unanimously.

ALDERMEN DISCUSSION

ALDERMAN COUCHMAN Alderman Couchman asked if anything was being done about the storm drainage issue in Jamestowne. Staff said drawings have been done and we are taking bids.

ALDERMAN HOLT Alderman Holt said he wanted to thank the City for fixing the 10th Street drain.

ALDERMAN GUSTIN Alderman Gustin said he noticed that the big holes have been patched at Pilot. He asked if the new street lights were up. Staff said the lights have been installed by Orscheln's but didn't know if there were activated yet or not.

ALDERMAN HAYES Alderwoman Hayes said she wanted to introduce a girl from Taiwan who is here through the Rotary Club. She said she would be staying with her for a short period of time.

Presentation of Proposed Use of Police Station Mayor Dane said Jenny Hayes was asked to assist with finding a use for the Police Station when they move into the new building. He said this will just be a presentation tonight and then it will be back on the agenda at the next meeting.

Alderwoman Hayes said she was looking for an opportunity for kids in the age bracket between daycare and driving age. She did a Power Point presentation showing how the building could be remodeled. She said she would hope to have activities for Seniors, etc. in the morning, youth activities for kids from 2:30 P.M. to 6:30 P.M. and then have family activities in the evening and weekends.

Presentation of Proposed Use of Police Station-cont Alderwoman Hayes said she is very interested in bringing in the Boys and Girls Club to cover the youth activities during the afternoon. She ask Dr. Nicely, Superintendent of Schools, to tell about his experience with the Boys and Girls Club.

Dr. Nicely said he has worked with the Boys and Girls Club and it is a program that has been tried and tested. He said the most vulnerable time to get into trouble is the adolescent ages. He said this site would be good for programs after school because those kids in the Middle School are the ones that really need the program.

Mayor Dane asked if they develop programs unique to your community. Dr. Nicely said that is correct. You can let them know of particular areas of concern and they try to address those.

Alderman Gustin said the plan shows the office in the back of the building. He said he thought the office should be moved to the front of the building. He said the window at the South end of the building on the East side would be a good place for the office to be and they could sell concert tickets, etc. He said he also liked the idea of utilizing the Park into the plan.

Alderman Holt said he didn't realize that the Plan was to hire an employee. He said he thought maybe it would work into the Park Department. Mayor Dane said with the Amphitheater and ball fields, the Park Department didn't have the time to take on any more responsibilities.

Alderman Couchman said the time frame says for the fall of 2010. He said he thought we should see if any of the City departments needed use of the building first. He said he knew that the Explorers needed a meeting place, etc.

Alderwoman Hayes said there is a lot of need by the non profit groups in town for meeting places, etc. but that doesn't help the idea of "break even".

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

The following bills were presented for payment at the April 5, 2010 meeting:

ORG/VENDOR NAME	WARRANT: 040510	AMOUNT

* 1996 SRF REV BD Expense		
UMB BANK		5,107.00
* 2001 SRF Rev Bd Expense		
UMB BANK		14,955.44
* 2004 W&S REF REVENUE BNDS		
UMB BANK, N.A.		16,910.00
* City Hall Expenses		
BOARD OF ELECTIONS		5,385.52
CINTAS CORPORATION #690		240.82

CLAY COUNTY EDC	2,400.00
CHAD COFFELT	35.39
COLE PRINTING	265.00
BILLY R DANE	175.00
ANNETTE DAVIS	31.20
275-FAIRPOINT COMMUNICATIONS	402.48
KEARNEY CHAMBER OF	50.00
KRAMER HARDWARE	14.99
MID-AMERICA REG. COUNCIL	1,434.00
MONARCH INDUSTRIES, INC.	672.29
NPG NEWSPAPERS INC	464.93
PAYCOR PAYROLL SERVICES	166.13
STAPLES ADVANTAGE	67.73
* Community Development Dir	
CINTAS CORPORATION #690	19.90
CLAY COUNTY AUTO PARTS	2.69
CONOCO	68.58
* Court & Legal Expenses	
LARRY E BUTCHER	1,180.00
CLAY COUNTY DETENTION	93.00
LODGE OF FOUR SEASONS	61.80
RAY COUNTY SHERIFF/TREASURER	950.00
* General Admin. Revenues	
THOMAS R BULLER	34.94
ROGER F BUSBY	247.46
CENTRAL PROPERTY CLAIMS REGION	253.64
RUSSELL OR SHAWNA CHISAM	3.48
CHANDLER D COON	186.32
TIMOTHY C DODD	427.37
ALEX B DOLLAR	43.67
CORY A DUNCAN	320.24
THOMAS E FISH	13.39
RODNEY L FOLTZ	98.98
WILLIAM H FORMAN	116.00
STEPHANIE A HENLEY	116.00
BRENT D HOLLIS	84.43
DAVID E JACKSON	90.25
MICHAEL S JENSEN	58.23
KABIR, INC	74.32
DARRELL KESTER	652.30
DEVRE L LESTER	23.29
GUNNAR L LOVEKAMP	244.55
ASHLEIGH B SMITH	110.63
JESSICA L TRAMMELL	174.68
SHAWN K VECELLIO	436.69
SUSAN R WELBORN	116.00
ALAN F WILMES	116.00
FRANKIE D WOLFE	34.94
* General Fund Balance Acct	
AFLAC/REMITTANCE	245.56
BLUE CROSS BLUE SHIELD OF KC	11,701.78
DELTA DENTAL OF MISSOURI	1,037.71
ING FINANCIAL ADVISERS,LLC	1,196.33
MISSOURI LAGERS	9,088.34
MO DEPT OF PUBLIC SAFETY	188.00
MO DEPT OF REVENUE-CVC	769.50

PAYCOR PAYROLL SERVICES	13,193.49
SYNERGY SERVICES INC	216.00
VISION SERVICE PLAN (IC)	297.30
* Meter Deposit Expenses	
IRENE ANGEL	63.41
BILLY BAZBERA	54.41
JIM CARLSON CONSTRUCTION	53.17
HERBERT CLINTON	23.41
TERRY GRIDER	63.41
DONALD HAAVISTO	17.78
LAFFEY BROTHERS FARM, LLC	58.19
PREMIER TRANSMISSION	64.88
R & S CONSTRUCTION	63.41
* Park Captial Projects	
ADVANCED SOUND & COMMUNICATION	59,899.67
* Park Fund Balance Acct	
BLUE CROSS BLUE SHIELD OF KC	2,036.81
DELTA DENTAL OF MISSOURI	152.23
MISSOURI LAGERS	1,111.45
PAYCOR PAYROLL SERVICES	1,319.41
VISION SERVICE PLAN (IC)	43.83
* Park Fund Expenses	
ARROW STAGE LINES	545.00
BOB BALDWIN	32.00
JACK BUTLER	520.00
CINTAS CORPORATION #690	12.34
CLAY COUNTY PUBLIC HEALTH CENTER	150.00
CONOCO	77.98
FRIES LAWN & LEISURE INC	49.25
SAM GORE	340.00
KRAMER HARDWARE	42.04
ORSCHELNS CARD CENTER	69.99
PLATTE CLAY ELECTRIC	1,561.16
PUBLIC WATER SUPPLY	15.30
QUICK STOP	490.00
WINNERS CIRCLE	173.60
* Park Special Projects	
KEARNEY HIGH SCHOOL	130.00
WILLIAM MORRIS ENDEAVOR ENT.,LLC	24,250.00
PORTER'S BUILDING CENTER	212.39
WEST KEARNEY WINNELSON	197.71
* Police Dept. Expenses	
BOARD OF POLICE	143.58
THOMAS R. CAREY	90.03
CINTAS CORPORATION #690	156.01
CONOCO	976.87
275-FAIRPOINT COMMUNICATIONS	533.51
HUNTS CAR CARE CENTER	345.26
J & K AUTO REPAIR	30.00
KEARNEY HEATING & AC	729.80
KRAMER HARDWARE	28.05
PLATTE CLAY ELECTRIC	303.61
STAPLES ADVANTAGE	69.23
* Police Station Debt	
KEARNEY TRUST COMPANY	7,524.01
* Police Station Expenses	

BASE ELECTRIC, LLC	6,750.00
GLEN ROGERS CONSTRUCTION, LLC	15,031.80
WILLIAMS SPURGEON KUHL & FRESHNOCK	2,747.28
* Sewer Plant Expenses	
ACE PIPE CLEANING, INC.	8,227.50
ALLIED WASTE SERVICES	105.32
BROADVIEW SECURITY	31.95
CII LABORATORY SERVICES	49.00
CINTAS CORPORATION #690	21.75
CLAY COUNTY AUTO PARTS	107.57
ENVIRONMENTAL RESOURCE ASSOC.	430.65
FERRELLGAS, INC.	167.88
KRAMER HARDWARE	33.84
THE LARKIN GROUP	4,000.00
MEYER LABORATORY, INC.	128.72
ORSCHELNS CARD CENTER	280.47
PLATTE CLAY ELECTRIC	7,784.36
GARY SHANKS	2,800.00
SUPERCO SPECIALTY PRODUCTS	241.45
WESTERN FIRST AID & SAFETY	63.15
YATES ELECTRIC CO.	437.00
* Solid Waste	
DEFFENBAUGH INDUSTRIES	28,526.50
* Street Department Expense	
CARTER WATERS	511.00
CINTAS CORPORATION #690	56.80
CLAY COUNTY AUTO PARTS	7.75
CONOCO	938.25
DEFFENBAUGH DISPOSAL	1,750.00
FERRELLGAS, INC.	241.83
KRAMER HARDWARE	19.86
ORSCHELNS CARD CENTER	19.00
PERFORMANCE TRUCK AND SUV	544.49
PLATTE CLAY ELECTRIC	480.34
PORTER'S BUILDING CENTER	48.67
RACKERS EQUIPMENT CO	1,852.92
* W & S Admin. Expenses	
AMERICAN PRIDE EXPRESS LUBE	32.65
CENTURYLINK COMMUNICATIONS, INC	3.88
CINTAS CORPORATION #690	72.64
CLAY COUNTY AUTO PARTS	17.33
CONOCO	490.49
275-FAIRPOINT COMMUNICATIONS	126.52
* W & S Oblig. Expenses	
UMB BANK	3,664.60
* W & S Oblig. Revenue	
RUSSELL OR SHAWNA CHISAM	.30
KABIR, INC	6.46
* W&S Revenue Balance Acct	
BLUE CROSS BLUE SHIELD OF KC	2,625.96
DELTA DENTAL OF MISSOURI	281.05
ING FINANCIAL ADVISERS, LLC	160.00
MISSOURI LAGERS	2,895.64
PAYCOR PAYROLL SERVICES	4,089.21
VISION SERVICE PLAN (IC)	86.42
* WEST I-35 OUTER ROAD	

COOK, FLATT & STROBEL	5,876.38
* Water Plant Expenses	
ACCO UNLIMITED CORP	1,046.60
AMERICAN WATER WORKS	310.00
BROADVIEW SECURITY	63.90
CAPITAL BELT & SUPPLY, CO.	23.65
C.H. ROBINSON COMPANY, INC.	707.25
CINTAS CORPORATION #690	11.00
FERRELLGAS, INC.	167.88
HARMON PLUMBING	107.00
JACKSON COUNTY PWS#1	395.29
JOHN'S SUPER	17.56
KCMO WATER SERVICES	13,791.85
KEARNEY LAWN &	310.88
KRAMER HARDWARE	209.30
MEYER LABORATORY, INC.	128.72
MISSISSIPPI LIME CO	4,725.00
MISSOURI ONE CALL SYSTEM, INC.	150.80
ORSCHELNS CARD CENTER	9.77
PLATTE CLAY ELECTRIC	1,541.43
SUPERCO SPECIALTY PRODUCTS	241.40
WESTERN FIRST AID & SAFETY	63.15
WESTERN EXTRALITE COMPANY	16.60
YATES ELECTRIC CO.	1,838.68

TOTAL	328,734.23

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

