

October 18, 2010

The Board of Aldermen, City of Kearney, Missouri, met in regular session at Kearney City Hall, 100 East Washington, October 18, 2010 at 6:30 P.M. with Mayor Dane presiding. Members present were Jeff Couchman, Jenny Hayes, Alan Gustin and Tom Patterson. Staff members present were Jim Eldridge 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 October 4th meeting
- Bills presented for payment
- Meter Distribution Parts, HAJACO \$3,619.36 Low Bid
- Museum Cabinets, OneWay Furniture \$2,097 Low Bid
- 12 White Pines for Jesse James Park, Marshall Evergreen \$1,860 Low Bid

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

MAYOR'S REMARKS

ALDERWOMAN HAYES-BOYS & GIRLS CLUB Mayor Dane asked Alderwoman Hayes to report on the meeting she held in regard to forming a Boys & Girls Club.

Alderwoman Hayes said John Miller, Regional Director for the Boys & Girls Club came to Kearney and met with herself, Dr. Nicely and counselors from the School District.

Alderwoman Hayes said she had thought we would target kids from the 6th grade through 9th grade. She said Mr. Miller said we need to do a thorough survey of the community and probably will find a need for kids in 4th and 5th grades.

She said they have an architect on staff that will help with the design of the building and will help provide budget guidelines. She said we need to form focus groups and do a community assessment first.

Mayor Dane asked if they will lead us through the process. Alderwoman Hayes said yes and they have already given us some information.

Mayor Dane asked if there is a time line for the assessment. Alderwoman Hayes said they said it will take at least 3 months to do. You work on it until you are sure you have gotten all the needs covered in the community.

ADMINISTRATOR'S REPORT

RECOMMEND TEAR DOWN OF 106 EAST WASHINGTON RENTAL HOUSE

Staff reported that our renters living in 106 East Washington east of City Hall have moved. The house would require substantial investments to rent. It was initially planned to tear the house down when the renters vacated and that is recommended now.

It is recommended to have the basement floor and walls removed in order to leave a build ready lot. The house will need to be inspected for presence of asbestos and other hazardous materials and we will need to secure a DNR permit for demolition.

The outbuilding needs a new roof and paint, but is a good block building with concrete floor. We'd like to keep it for park related storage.

Staff said they had estimated cost for inspection, permitting and total removal would be \$8,500. They would request authority to proceed with plans for demolition by advertising for demolition contractor and to appropriate money from the General Fund's existing balance to increase City Hall Building Maintenance Fund.

Alderman Couchman asked if we thought we were close on the estimate. Staff said they had talked to a contractor today who believes that figure is about half of what the actual cost would be.

Mayor Dane asked if we had received the report on asbestos yet. Staff said we are still waiting on the results. The inspector didn't anticipate any serious issues and thought \$1,000 would cover the cost to remove it.

REHABILITATION STANDPIPE VAULT AND VALVES OR REPLACE VAULT

Staff said we are still working on the proposal whether to rehabilitate the standpipe vault and valves or do a replacement of the vault.

POLICE STATION DRAINAGE ISSUES Staff said while working on the installation of the stairway to the basement we discovered that there were no footer drains around the building. This is a contributor to the issue of water in the basement. We are waiting on a proposal from the General Contractor to fix this problem.

The locksmith was to be here today to relock the building so it should soon be ready for the Police Department to move into.

PUBLIC REQUESTS & PETITIONS

MATTHEW DILLON, KEARNEY SHELL LIQUOR LICENSE Staff presented an application for a liquor license from GK Energy, LLC for the Kearney Shell station, which is changing ownership. Matthew Dillon is named as the managing officer and all required documentation including criminal background information has been submitted.

Mayor Dane asked if Mr. Dillon is only going to visit the site every other week, who is responsible on a daily basis. Mr. Dillon said the store manager would be.

MATTHEW DILLON, KEARNEY SHELL LIQUOR LICENSE-CONT

Alderman Couchman asked Mr. Dillon if he was aware of the type of liability he would be undertaking with this position. He said no.

Alderwoman Hayes asked if he would be working at the station. He said no.

Alderman Patterson asked if he had any interest in the operation. He said no.

Mayor Dane said he wanted to make sure that Mr. Dillon realized the large responsibility he was assuming with this title.

A motion was made by Alderman Couchman to approve the application for a liquor license from GK Energy, LLC for the Kearney Shell station. Due to no second to the motion Alderman Couchman removed the motion from the floor.

Alderwoman Hayes said she would like some clarification of Item 22 in the application. Mr. Dillon said he would just stop in every other week and the members of the LLC would be frequenting the premises on a weekly basis to insure compliance.

Alderman Couchman asked how hard it is to revoke a liquor license if we have problems. Mayor Dane said you just have to have cause of violations to revoke the license.

Alderwoman Hayes said she was just uncomfortable with the fact that Mr. Dillon was not aware of the liability he is assuming.

Alderman Gustin said his concern is that the ownership is equally split in three ways and no one really takes the lead as person in charge. He said this was an issue in another City.

Alderman Patterson said he had some concern about the small amount of time he would spend on site. He said he also isn't sure Mr. Dillon realizes what he is assuming.

Chris Rudor said he is the manager of the station and Mr. Dillon will soon be his brother-in-law. He said he doesn't have a Clay County address so he couldn't be the managing officer for the liquor license. He said he already manages another store for GK Energy and they are very cautious in regard to liquor sales. He said Mr. Dillon doesn't get paid for this position. He said they have taken this to a lawyer and the lawyer talked to Mr. Dillon.

Mayor Dane said he wants to make sure Mr. Dillon is aware of his responsibility. He said he does share Alderman Gustin's concern about the equal 1/3 share of each shareholder but if anything goes wrong the managing officer is the person held responsible.

A motion was made by Alderman Couchman and seconded by Alderwoman Hayes to approve the application for a liquor license from GK Energy, LLC for the Kearney Shell

MATTHEW DILLON, KEARNEY SHELL LIQUOR LICENSE-CONT station.
The motion carried by a vote of three to one with Alderman Gustin voting nay.

NEW BUSINESS

PAVILION LEASE/PURCHASE FINANCING, \$100,000 WITH KCB BANK 10 YEARS, \$12,549.01 ANNUAL PAYMENTS, CONSIDER ORDINANCE Staff presented a proposed lease agreement negotiated with KCB Bank financing \$100,000 of the pavilion construction over a 10 year period with annual payments of \$12,549.01. KCB also agreed to prepare documents and provide the necessary legal work at no charge. The date at the end of the documents will be changed to October 18th instead of October 20th.

Alderman Patterson said in the Pavilion Lease Purchase Agreement it goes from Section 2.01 to 3.06. He said it appears that a page is missing from the Agreement.

A motion was made by Alderman Patterson and seconded by Alderman Gustin to table the Pavilion Lease/Purchase Financing Agreement negotiated with KCB Bank until the November 1, 2010 meeting. The motion carried unanimously.

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

The following bills were presented for payment at the October 18, 2010 meeting:

ORG/VENDOR NAME	WARRANT: 101810	AMOUNT

* Cap Improv Sales Tax Exp.		
CHRIS' LAWN CARE AND		1,614.41
HOUSEWORTH ENTERPRISES		360.00
* City Hall Expenses		
BIG V SUPERMARKET		19.74
CINTAS CORPORATION LOC. 177		123.41
DEFFENBAUGH INDUSTRIES		20.00
JIM ELDRIDGE		16.93
FRIENDS OF THE JAMES FARM		250.00
R. BRIAN HALL, PC		4,695.00
HOUSEWORTH ENTERPRISES		1,012.50
MHM BUSINESS SERVICES, INC.		325.00
MIDWEST DATA CENTER		32.00
MISSOURI GAS ENERGY		136.78
MO DEPT OF REVENUE		35.00
MO MUNICIPAL LEAGUE		994.50
NEXTEL COMMUNICATIONS		119.58
PAYCOR PAYROLL SERVICES		161.53
PKMR ENGINEERS		1,750.00
GERRI SPENCER		2,047.00
STAPLES ADVANTAGE		35.01
TCOM INC		450.00
UNISOURCE, INC		134.00

CARD SERVICES (VISA)	345.26
* Community Development Dir	
CINTAS CORPORATION LOC. 177	12.20
CONOCO	127.14
DaVINCI REPROGRAPHICS	700.08
NEXTEL COMMUNICATIONS	187.53
NPG NEWSPAPERS INC	31.84
DAVID PAVLICH	134.22
UNISOURCE, INC	134.00
* Court & Legal Expenses	
LARRY E BUTCHER	950.00
CLAY COUNTY DETENTION	124.00
R. BRIAN HALL, PC	1,425.00
LODGE OF FOUR SEASONS	115.97
* General Admin. Revenues	
B KLOPFENSTEIN	163.61
SLIVINSKI'S BAKERY	435.59
* General Fund Balance Acct	
ING FINANCIAL ADVISERS,LLC	1,216.33
MO DEPT OF PUBLIC SAFETY	166.00
MO DEPT OF REVENUE-CVC	1,182.75
PAYCOR PAYROLL SERVICES	18,998.28
SYNERGY SERVICES INC	332.00
* Meter Deposit Expenses	
UNCLAIMED PROPERTY ADMIN	39.82
* Park Fund Balance Acct	
PAYCOR PAYROLL SERVICES	1,376.65
* Park Fund Expenses	
PHIL BUCHANAN	18.00
CHRIS' LAWN CARE AND	399.00
CINTAS CORPORATION LOC. 177	12.34
CLINTON COUNTY SOIL & WATER CONSERV	325.00
CONOCO	749.88
DEFFENBAUGH INDUSTRIES	84.00
DEFFENBAUGH DISPOSAL	354.86
PATRICK FLORA	200.00
FRIES LAWN & LEISURE INC	1,401.84
HOUSEWORTH ENTERPRISES	1,496.25
KEARNEY LAWN &	145.48
KEARNEY FEED & SUPPLY	286.00
GARY LAWSON	1,800.00
MARSHALL TREES & NURSERY	1,860.00
NEXTEL COMMUNICATIONS	32.55
O'REILLY AUTOMOTIVE INC	62.63
PUBLIC WATER SUPPLY	217.27
QUICK STOP	2,082.00
WESTERN EXTRALITE COMPANY	35.01
WINNERS CIRCLE	155.00
* Park Special Projects	
BIG V SUPERMARKET	10.16
SUPER 8 AT KEARNEY	220.00
TIMBERLAND CONSTRUCTION, L.L.C.	16,000.00
CARD SERVICES (VISA)	1,000.15
* Police Dept. Expenses	
BIG V SUPERMARKET	41.03
CLAY CO SHERIFF'S DEPT	5,003.40

COLE PRINTING	85.00
CONOCO	1,954.91
DEFFENBAUGH INDUSTRIES	20.00
GRAFF TECHNOLOGY SOLUTIONS	18.25
HOUSEWORTH ENTERPRISES	225.00
J & K AUTO REPAIR	140.68
KPOXY CONST.,LLC.	574.55
METRO SPORTSWEAR LLC	60.00
MISSOURI GAS ENERGY	104.69
NEXTEL COMMUNICATIONS	54.80
O'REILLY AUTOMOTIVE INC	9.98
RELIABLE MECHANICAL SERVICES, INC.	1,085.00
SHELL	766.25
CARD SERVICES (VISA)	1,103.86
* Police Station Expenses	
GLEN ROGERS CONSTRUCTION, LLC	14,796.00
GRAFF TECHNOLOGY SOLUTIONS	95.66
NEWEGG, INC	4,955.72
PAINT4U LLC	950.00
DEL DEN MFG CO.	531.25
CARD SERVICES (VISA)	870.19
* Sewer Plant Expenses	
CII LABORATORY SERVICES	49.00
CERTIFIED LAB	897.76
DEFFENBAUGH INDUSTRIES	20.00
FERRELLGAS, INC.	49.00
FTC EQUIPMENT, LLC	1,663.57
HOUSEWORTH ENTERPRISES	258.75
KANSAS CITY WINNELSON	1,277.98
MICRO-COMM INC	1,561.50
MIDWEST LABORATORIES INC	497.65
SUPERCO SPECIALTY PRODUCTS	356.62
YATES ELECTRIC CO.	775.00
* Street Department Expense	
AGC ENGINEERS, INC.	2,783.78
VIRGIL BARCHERS	545.60
CHRIS' LAWN CARE AND	762.50
CINTAS CORPORATION LOC. 177	44.70
CONOCO	803.53
DEFFENBAUGH INDUSTRIES	30.00
DEFFENBAUGH DISPOSAL	1,501.25
EVERETT QUARRIES	192.26
GEIGER READY-MIX	775.50
HOUSEWORTH ENTERPRISES	246.50
HUNTS CAR CARE CENTER	21.60
KEARNEY FEED & SUPPLY	21.50
LONG VET CLINIC	120.00
NEWMAN TRAFFIC SIGNS	90.57
NEXTEL COMMUNICATIONS	139.15
O'REILLY AUTOMOTIVE INC	53.96
PLATTE CLAY ELECTRIC	6,681.37
CARD SERVICES (VISA)	12.62
* W & S Admin. Expenses	
CENTURYLINK	170.21
CINTAS CORPORATION LOC. 177	59.26
CONOCO	846.62

HUNTS CAR CARE CENTER	590.72
MISSOURI SALES TAX	2,154.37
NEXTEL COMMUNICATIONS	405.22
O'REILLY AUTOMOTIVE INC	32.31
STAPLES ADVANTAGE	21.09
T & M MOBILE SERVICE	2,540.51
* W & S Oblig. Revenue	
B KLOPFENSTEIN	14.23
SLIVINSKI'S BAKERY	37.88
* W&S Revenue Balance Acct	
ING FINANCIAL ADVISERS,LLC	160.00
PAYCOR PAYROLL SERVICES	4,591.89
* Water Plant Expenses	
BRENNTAG MID-SOUTH, INC	1,400.00
CINTAS CORPORATION LOC. 177	11.00
DECKER CONSTRUCTION	1,123.88
DEFFENBAUGH INDUSTRIES	20.00
HOUSEWORTH ENTERPRISES	495.75
MISSOURI GAS ENERGY	99.48
MISSOURI ONE CALL SYSTEM, INC.	113.10
O'REILLY AUTOMOTIVE INC	8.16
THE UPS STORE	103.92
CARD SERVICES (VISA)	124.15
YATES ELECTRIC CO.	779.33

TOTAL	143,060.60

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

