

February 7, 2011

The Board of Aldermen, City of Kearney, Missouri, met in regular session at Kearney City Hall, 100 East Washington, February 7, 2011 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 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 January 18th meeting
- Bills presented for payment
- Emergency transmission replacement for 2001 F-350, Porters Service, \$3,965.63
- Emergency transmission replacement for 2002 F-550, Porters Service, \$3,965.63

Staff said we did solicit a bid from Crossley Ford for the 2002 F-550, who quoted \$4,106.91, identifying it as a heavy duty transmission. Porter says their transmission is also heavy duty and is the exact transmission called out in the Vehicle I.D.

Alderwoman Hayes asked why we wouldn't look at the Midway Ford quote that was lower. Alderman Patterson said it probably wasn't a heavy duty transmission.

A motion was made by Alderman Patterson and seconded by Alderman Couchman to approve the Consent Agenda and approve the replacement for the 2002 F-550 for up to \$4,106.91 with Staff checking with Porter's to make sure they can do a heavy duty transmission otherwise going with Crossley Ford. The motion carried unanimously.

MAYOR'S REMARKS

STATE OF THE CITY Mayor Dane said there would be no State of the City tonight. He said it would be at the next meeting or meeting after that.

Mayor Dane said he was leaving the hospital during the snow storm. He said since his wife was already home Chief Pratt came and picked him up. He said he wanted to thank him for that.

ADMINISTRATOR'S REPORT

DIVISION OF LABOR STANDARDS LETTER TO CALVERT PAVING Staff presented a letter from the Missouri Division of Labor Standards to Calvert Paving directing them to pay an additional \$16,435.93 prevailing wages to their laborers for the cut and patch asphalt contract with the City in 2010.

DIVISION OF LABOR STANDARDS LETTER TO CALVERT PAVING Staff said Calvert will likely be approaching the City concerning the wages, as our contract specifically excluded prevailing wage as we have long considered cut and patch to be repair work, excluded from prevailing wage requirements.

NEXT MEETING: It was the general consensus of the Board of Aldermen to leave the next meeting on February 21st, President's Day.

PUBLIC REQUESTS & PETITIONS

FAT BOYZ GRILL AND BAR LIQUOR LICENSE APPLICATION Staff presented an application from Barry Hoffman, 1400 Susan Street, for a liquor license for his new venture, Fat Boyz Grill and Bar. They plan to open in the Outlaws Bar-b-que space at 127 East Washington Street.

Barry Hoffman said he intends to open in a few weeks. They will serve hamburgers, hot dogs, Philly's and cheese sticks. He said they will serve BBQ as specials. He said their hours will be from 12:00 to 10:00 P.M. Tuesday thru Saturday. He said they will try to rent out the east side as a banquet space if needed for customers.

A motion was made by Alderman Gustin and seconded by Alderwoman Hayes to approve the liquor license for Barry Hoffman at Fat Boyz Grill and Bar at 127 East Washington Street. The motion carried unanimously.

NEW BUSINESS

SAFE ROUTE TO SCHOOLS GRANT APPLICATION A Resolution, authorizing **RESOLUTION NO. 03-2011** the Mayor to sign a contract with MARC to prepare a grant application on behalf of the City for the Safe Routes To School Grant Program, was presented and read by Title only.

Staff said the proposed contract with Mid-America Regional Council for Molly McGovern to prepare a grant application for the Safe Routes to School Grant Program consists of the following:

1. High School 19th Street/South Campus Drive Sidewalks
2. Dogwood Sidewalks to Cedarwood
3. Kearney Elementary Crosswalks

David Pavlich has worked with Dr. Nicely selecting these projects and the funding, if secured would provide one hundred percent of the cost.

Alderman Patterson asked what improvements are being done for the crosswalks. Staff said all the details haven't been completed yet.

Alderman Patterson asked if Molly McGovern gets the application fee and the grant administration. Staff said she works for MARC.

SAFE ROUTE TO SCHOOLS GRANT APPLICATION-CONT A motion was made by Alderman Gustin and seconded by Alderman Patterson to approve the Resolution authorizing the Mayor to sign a contract with MARC to prepare a grant application on behalf of the City for the Safe Routes To School Grant Program. The motion carried unanimously.

DISSOLVING OLD CHURCH TIF Bill No. 04-2011, an ordinance dissolving the **ORDINANCE NO. 1154-2011** Old Church Plaza TIF, was presented and read by Title only.

Staff presented an Affidavit of Complete Payment from the developer, DEW, LLC stating that the project was completed and all reimbursable project costs have been paid.

A motion was made by Alderman Couchman and seconded by Alderman Gustin to accept the Affidavit of Complete Payment from DEW, LLC. The motion carried unanimously.

A motion was made by Alderwoman Hayes and seconded by Alderman Patterson 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 Alderwoman Hayes to place Bill No. 04-2011 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: Hayes, Patterson, Gustin and Couchman. The motion carried by a four to zero vote. The Bill was then duly numbered **Ordinance No. 1154-2011**.

Mayor Dane said if the TIF project hadn't occurred that area could have become storage units. Mayor Dane said these amounts will be reimbursed to the following Clay County Taxing Jurisdictions:

County Senior Services	\$ 1,359.14
Handicap Tax	\$ 558.38
Health Tax	\$ 468.83
Kearney Fire District	\$ 4,258.38
Kearney School District	\$21,811.37
Library Tax	\$ 1,500.26
Mental Health Tax	\$ 451.48

Mayor Dane and Board President Alan Gustin presented checks to the Fire District and the Kearney R-1 School District.

Kim Murphy, Kearney Fire District Board Member, said he wanted to thank the City for the foresight to complete the project and make sure it paid on time.

DISSOLVING OLD CHURCH TIF Staff said Mike Broner, a former Alderman, was **ORDINANCE NO. 1154-2011** pivotal on becoming more creative and getting a more attractive look to the project.

Staff said they wanted to recognize developers, Ron and Willa Piercy, Charles and Diane Small, John and Elizabeth Boyd, James and Treva Dawson and John Bovard for building an attractive shopping center that gives the Kearney downtown a special character and charm.

SATISFACTION OF THE DJL OBLIGATIONS Bill No. 05-2011, an ordinance **ORDINANCE NO. 1155-2011** acknowledging the satisfaction of the DJL obligations for TIF, was presented and read by Title only.

Staff said that in 2006, when David Levaton (DJL, LLC) acquired the Old Church Plaza from DEW, LLC they assumed certain obligations relative to TIF.

A motion was made by Alderman Patterson and seconded by Alderman Couchman 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 Alderwoman Hayes to place Bill No. 05-2011 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: Hayes, Patterson, Gustin and Couchman. The motion carried by a four to zero vote. The Bill was then duly numbered **Ordinance No. 1155-2011**.

MARC CONTRACT WITH AFFILIATED AUCTIONEERS Staff presented a contract from Mid America Regional Council with Affiliated Auctioneers, who work with numerous local governments, disposing of surplus property by public auction.

Staff said they would like to accept the MARC contract with Affiliated to dispose of surplus property at the Old Fire House. The terms provide for a twenty percent commission for auction of the old furniture. For ten percent more, they will pick it up for you, which is what Staff recommends.

Alderwoman Hayes said they may need some of the furniture that is marked to keep. She said she would try and get hers marked as soon as possible so Staff can move forward with this.

A motion was made by Alderman Patterson and seconded by Alderman Couchman to accept the MARC contract with Affiliated Auctioneers to dispose of the surplus property at the Old Fire House. The motion carried unanimously.

ADJOURNMENT There being no further business on the agenda, a motion was made by Alderman Patterson and seconded by Alderman Couchman to adjourn to executive session to discuss personnel matters and legal matters. The motion carried unanimously.

The following bills were presented for payment at the February 7, 2011 meeting:

ORG/VENDOR NAME	WARRANT: 020711	AMOUNT
* 1996 SRF REV BD Expense		
UMB BANK		2,139.01
* 2001 G.O. Hwy Bds Expense		
UMB BANK, N.A.		511,437.50
* 2001 SRF Rev Bd Expense		
UMB BANK		284.84
* 2005 G.O. Refndg Bonds		
UMB BANK		496.38
* City Hall Expenses		
CINTAS CORPORATION LOC. 177		94.91
CRETCHER HEARTLAND INCORPORATED		17,749.00
BILLY R DANE		175.00
275-FAIRPOINT COMMUNICATIONS		425.75
KRAMER HARDWARE		54.38
MEYER ACCOUNTING & TAX LLC		200.00
MIDWEST DATA CENTER		32.00
MO DEPT OF REVENUE		35.00
NPG NEWSPAPERS INC		152.52
PAYCOR PAYROLL SERVICES		627.81
STAPLES ADVANTAGE		274.93
TCOM INC		450.00
* Community Development Dir		
CINTAS CORPORATION LOC. 177		13.18
CRETCHER HEARTLAND INCORPORATED		1,103.00
KRAMER HARDWARE		15.96
MO FLOODPLAIN & STORMWATER		25.00
* Court & Legal Expenses		
LARRY E BUTCHER		950.00
LODGE OF FOUR SEASONS		124.54
* General Admin. Revenues		
CONVENIENT CLOSING SERVICES		15.41
ORSCHELN-KEARNEY		431.65
* General Fund Balance Acct		
AFLAC/REMITTANCE		221.46
BLUE CROSS BLUE SHIELD OF KC		13,274.74
DELTA DENTAL OF MISSOURI		1,014.85
ING FINANCIAL ADVISERS,LLC		1,216.33
MISSOURI LAGERS		10,352.40
PAYCOR PAYROLL SERVICES		28,371.13
VISION SERVICE PLAN (IC)		306.81
* Meter Deposit Expenses		
KYLE BARRETT		60.38
BRANNON BISCHOFF		36.91
CCI		47.62
CROSSROADS CHEVROLET		61.86
STEVE DAY		13.69
MICHAEL DUNAVIN		6.14
MINDY MCQUERRY		10.78
ROBERTSON CONSTRUCTION,LLC		56.55
PHILLIP SNODGRASS		13.28
* Museum/Chamber Bldg		

KEARNEY CHAMBER OF	50.00
* Old Church TIF Revenues	
CLAY COUNTY COLLECTOR	30,407.84
* Park Fund Balance Acct	
AFLAC/REMITTANCE	132.08
BLUE CROSS BLUE SHIELD OF KC	2,218.65
DELTA DENTAL OF MISSOURI	126.47
MISSOURI LAGERS	949.38
PAYCOR PAYROLL SERVICES	2,359.61
VISION SERVICE PLAN (IC)	35.56
* Park Fund Expenses	
CINTAS CORPORATION LOC. 177	39.60-
CRETCHER HEARTLAND INCORPORATED	5,329.00
KANSAS CITY METRO PARKS	75.00
KEARNEY ROTARY CLUB	130.00
KRAMER HARDWARE	53.44
ORSCHELNS CARD CENTER	22.17
PLATTE CLAY ELECTRIC	2,791.87
PUBLIC WATER SUPPLY	19.11
QUALITY HILL PLAYHOUSE	310.00
* Park Special Projects	
ASCAP	280.40
COOK'S COLLISION REPAIR	2,345.10
* Police Dept. Expenses	
ALLMED	106.98
AMERICAN PRIDE EXPRESS LUBE	35.95
BOARD OF POLICE	204.29
THOMAS R. CAREY	84.10
CINTAS CORPORATION LOC. 177	198.90
CRETCHER HEARTLAND INCORPORATED	26,387.00
275-FAIRPOINT COMMUNICATIONS	564.36
KRAMER HARDWARE	22.79
KWIK LUBE	38.15
MIDWEST RADAR & EQUIP.	867.50
ORSCHELNS CARD CENTER	93.96
PLATTE CLAY ELECTRIC	936.21
SHELL	617.27
STAPLES ADVANTAGE	441.86
UNISOURCE, INC	88.00
* Police Station Debt	
KEARNEY TRUST COMPANY	7,524.01
* Sewer Plant Expenses	
ACE PIPE CLEANING, INC.	8,479.00
ADT SECURITY SERVICES	31.95
ALLIED WASTE SERVICES	118.18
CINTAS CORPORATION LOC. 177	29.05
CLAY COUNTY AUTO PARTS	302.14
COLE PRINTING	75.00
FTC EQUIPMENT, LLC	3,122.13
KRAMER HARDWARE	17.67
MICRO-COMM INC	14,596.00
PLATTE CLAY ELECTRIC	8,165.18
USA BLUE BOOK	65.46
YATES ELECTRIC CO.	223.75
* Solid Waste	
DEFFENBAUGH INDUSTRIES	24,842.25
* Street Department Expense	

AGC ENGINEERS, INC.	822.08
AMERICAN EQUIPMENT CO	790.00
ADAM BROWN	678.00
CHRIS' LAWN CARE AND	260.00
CINTAS CORPORATION LOC. 177	51.09
CRETCHER HEARTLAND INCORPORATED	10,056.00
DIAMOND LAWN AND LANDSCAPING	325.00
FERRELLGAS, INC.	875.48
HOLLIDAY SAND AND	3,794.40
INTERSTATE AUTO SEVICE	60.00
KNAPHEIDE TRUCK	1,003.53
KRAMER HARDWARE	53.56
ORSCHELNS CARD CENTER	25.99
PLATTE CLAY ELECTRIC	455.96
DOUG PORTER	90.00
PORTER'S SERVICE	4,200.62
CHRIS SHIPLEY EXCAVATING,LLC	1,925.00
* TIF Debt Service	
KCB BANK	48,115.00
KEARNEY TRUST COMPANY	49,082.50
NORTH AMERICAN SAVINGS BANK	5,747.50
* W & S Admin. Expenses	
CENTURYLINK COMMUNICATIONS,INC	8.54
CINTAS CORPORATION LOC. 177	57.03
CITY OF KEARNEY	38,000.00
CRETCHER HEARTLAND INCORPORATED	30,515.00
275-FAIRPOINT COMMUNICATIONS	109.38
MISSOURI SALES TAX	1,537.85
MO DNR-DMS RECEIPT &	586.79
ORSCHELNS CARD CENTER	7.96
STAPLES ADVANTAGE	261.95
* W & S Oblig. Expenses	
UMB BANK	1,726.67
* W & S Oblig. Revenue	
CONVENIENT CLOSING SERVICES	1.34
* W & S Revenue Receipts	
BRIAN TERRY	320.00
* W&S Revenue Balance Acct	
BLUE CROSS BLUE SHIELD OF KC	3,095.42
DELTA DENTAL OF MISSOURI	258.17
ING FINANCIAL ADVISERS,LLC	210.00
MISSOURI LAGERS	3,227.06
PAYCOR PAYROLL SERVICES	8,517.99
VISION SERVICE PLAN (IC)	76.91
* WEST I-35 OUTER ROAD	
COOK, FLATT & STROBEL	7,909.50
* Water Plant Expenses	
ADT SECURITY SERVICES	63.90
BRENNTAG MID-SOUTH, INC	1,470.50
C.H. ROBINSON COMPANY,INC.	747.50
CINTAS CORPORATION LOC. 177	11.40
CLINTON COUNTY	15.00
FERRELLGAS, INC.	195.42
HACH CHEMICAL	896.33
KANSAS CITY WINNELSON	92.70
KCMO WATER SERVICES	15,503.90
KRAMER HARDWARE	202.03

MISSISSIPPI LIME CO	4,725.00
MISSOURI ONE CALL SYSTEM, INC.	50.70
PLATTE CLAY ELECTRIC	1,650.94
PORTER'S BUILDING CENTER	169.69
YATES ELECTRIC CO.	134.25
* West Creek L/P Debt Serv	
KCB BANK	35,637.50
KEARNEY TRUST COMPANY	35,637.50

TOTAL	1,060,291.40

APPROVED: _____
 Billy R. Dane, Mayor

ATTEST: _____
 Joan H. Updike, City Clerk