

July 18, 2011

The Board of Aldermen, City of Kearney, Missouri, met in regular session at Kearney City Hall, 100 East Washington, July 18, 2011 at 6:30 P.M. with Mayor Dane presiding. Members present were Jeff Couchman, Tom Patterson and Dan Holt. Jenny Hayes was absent. Staff members present were Jim Eldridge, Shirley Zimmerman 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 July 5th meeting
- Bills presented for payment
- Dale Ahle Proposal for web site water bill look up and payment, \$2,000 and \$200 per month
- Rose Mann donation budget amendment/purchase request

Mayor Dane asked Dale Ahle how soon he would have the web site available. Mr. Ahle said the water bill look up would be ready by August 1st and the payment site would be up and running by September 1st.

Staff said the Police Department had tried to get a grant to buy the police vests but we didn't qualify this year so they decided to proceed with the Rose Mann donation.

Alderman Holt asked if the old vests could be donated to a smaller police department. Jim Thomas, The Armory, said after so many years the fibers break down and they aren't guaranteed any longer.

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

PUBLIC HEARINGS

ANNEXATION OF PROPERTY AT 903 JESSE JAMES FARM ROAD Bill No. **ORDINANCE NO. 1106-2011** 16-2011, an ordinance enlarging the City limits of Kearney, Missouri by annexing property belonging to Public Water Supply District Number 8, located at 903 Jesse James Farm Road, was presented and read by Title only.

Staff said the District office is already within the City limits. They are readying the 8.24 acres to be annexed into the City so they can sell it off as surplus property.

The floor was opened to the public.

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

ANNEXATION OF PROPERTY AT 903 JESSE JAMES FARM ROAD

ORDINANCE NO. 1106-2011 Alderman Couchman said at this time there is no sewer in the area. He asked how long they would have to hook up to sewer after the City made it available. Staff said they would have six months.

Alderman Patterson asked if the property to the North of this property was inside the City. Staff said yes.

A motion was made by Alderman Holt and seconded by Alderman Couchman to approve the ordinance as read on the first reading. The motion carried unanimously.

A motion was made by Alderman Couchman and seconded by Alderman Patterson to place Bill No. 16-2011 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: Patterson, Holt and Couchman. The motion carried by a three to zero vote. The Bill was then duly numbered **Ordinance No. 1166-2011**.

REZONING 8.24 ACRES AT 903 JESSE JAMES FARM ROAD TO C Bill No. **ORDINANCE NO. 1167-2011** 17-2011, an ordinance changing an 8.24 acre tract owned by Public Water Supply District # 8, located at 903 Jesse James Farm Road to "C", Commercial, was presented and read by Title only.

Staff presented a memo dated July 18, 2011 and recommended approval of the rezoning. Staff said at their July 11th meeting, the Planning and Zoning Commission voted four to one to approve the rezoning request. The dissenting vote thought the property should retain an agriculture zoning status.

The floor was opened to the public.

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

A motion was made by Alderman Holt and seconded by Alderman Couchman to approve the ordinance as read on the first reading. The motion carried unanimously.

A motion was made by Alderman Couchman and seconded by Alderman Patterson to place Bill No. 17-2011 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: Patterson, Holt and Couchman. The motion carried by a three to zero vote. The Bill was then duly numbered **Ordinance No. 1167-2011**.

OLD BUSINESS

PIT BULL ORDINANCE DISCUSSION Mayor Dane presented the results from the survey asking if the City should repeal the pit bull ordinance. There were 591 no votes and 151 yes votes making it 80 percent in favor of leaving it as it is.

PIT BULL ORDINANCE DISCUSSION-CONT Mayor Dane said this isn't a public hearing and there will only be a discussion amongst the Board of Aldermen. He said if the Aldermen have a question for a guest, they may ask it.

Alderman Patterson said he has done a lot of research and not found anything that points a finger specifically at pit bulls. He said rootweilers are just as bad. He said the pit bull has gotten a bad reputation and the owners are usually to blame for the actions of the dog.

Angie Deras, 19822 NE 161st Street, Kearney, Missouri, said she has been an Animal Control Officer for thirteen years in Gladstone, Missouri. She said she is also a member of the State Board. She said it is an unanimous opinion of animal control officers that breed solicitation is not the way to go. She said no one breed is worse than another.

A motion was made by Alderman Patterson to repeal the pit bull ordinance. Due to the lack of a second the motion was dropped.

Mayor Dane said we will consider this a closed issue at this time.

NEW BUSINESS

FINAL PLAT WATER DISTRICT # 8 Bill No. 18-2011, an ordinance approving **ORDINANCE NO. 1168-2011** the final plat of Public Water Supply District No. 8, subdividing approximately 9.75 acres into two lots, was presented and read by Title only.

Staff presented a memo dated July 18, 2011 and recommended approval. The Planning and Zoning Commission at their July 11, 2011 meeting unanimously recommended approval.

Alderman Holt said they show a road along the South side of the property but the back lot appears landlocked. He said the City needs to keep a close watch when that back lot is sold.

Alderman Couchman asked if there were any requirements for improvements to Jesse James Farm Road. Staff said that would be studied when that lot is developed.

Alderman Patterson asked at what point it is determined there is an impact on traffic on Jesse James Farm Road. Staff said we have ordinances covering traffic studies for certain developments.

A motion was made by Alderman Holt and seconded by Alderman Couchman to approve the ordinance as read on the first reading. The motion carried unanimously.

A motion was made by Alderman Holt and seconded by Alderman Patterson to place Bill No. 18-2011 on its second and final reading. Said Bill was thereupon read and

FINAL PLAT WATER DISTRICT # 8 considered, and was duly passed by the **ORDINANCE NO. 1168-2011** following roll call vote: Voting for the Motion: Patterson, Holt and Couchman. The motion carried by a three to zero vote. The Bill was then duly numbered **Ordinance No. 1168-2011**.

PWSD#8 COMMERCIAL SITE PLAN AND FEE WAIVER REQUEST Staff presented an application from Public Water Supply District #8 for a commercial site plan for construction of a 1,920 square foot garage addition to their District offices and a 900 square foot free standing storage building on the same site.

A letter was presented requesting a fee waiver, which is consistent with past practices of the City by waiving building fees of other local governments such as the School and Fire District.

Staff presented a memo dated July 18, 2011 and recommended approval. At their July 11, 2011 meeting the Planning and Zoning Commission voted four to one approving the Commercial Site Plan.

Staff said they will be adding sidewalks and ADA parking. They will be using pavers around the new additions.

Alderman Patterson said he is interested in seeing how pavers work. This is a good location to try them out.

Alderman Holt said we don't have anything in the code covering pavers. If they are going to become popular we need to consider updating our codes.

Chris Riley, 17320 Endicott Road, Kearney, Missouri, said if you develop a good base for the pavers they will work fine. They provide green areas and work as storm water detention.

Alderman Holt asked if big equipment would hurt them when turning. Mr. Riley said that depends on the base under them. He said they are very popular on both coasts.

A motion was made by Alderman Holt and seconded by Alderman Couchman to approve the application from Public Water Supply District #8 for a commercial site plan for construction of a 1,920 square foot garage addition to their District offices and a 900 square foot free standing storage building on the same site and waive permit fees, contingent upon meeting all Staff comments. The motion carried unanimously.

LEAVING WARD BOUNDARIES "AS IS" A Resolution, recognizing the continued **RESOLUTION NO. 27** use of the existing ward boundaries was presented and read by Title only.

LEAVING WARD BOUNDARIES “AS IS” Staff reported that after reviewing the **RESOLUTION NO. 27** block census data the deviation between the wards is 8.8 percent, which is below the 10 percent threshold identified in case law as being reasonable. At this time Ward 1 is smaller, but that is the area we expect growth to occur in.

Alderman Patterson said we need to send the Clay County Election Board a new map. He said there are some people in Stonelake, Sparrow Circle and Greenfield that are in the wrong wards.

Staff said we have spent a lot of time with the Election Board but we will check into these areas.

A motion was made by Alderman Patterson and seconded by Alderman Holt to approve the Resolution recognizing the continued use of the existing ward boundaries. The motion carried unanimously.

ALDERMEN DISCUSSION

ALDERMAN PATTERSON Alderman Patterson said he wanted to give a quick update on the Mid America Regional Council. He said there are grant funds for recycling projects coming available. He said we should be able to go online after August 5th. He said there is also funding for recycling barrels for parks and special events.

RECYCLING MEETING Staff announced that we will hold an Open House Recycling meeting on August 23, 2011 from 5:00 P.M. to 7:00 P.M.

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

The following bills were presented for payment at the July 18, 2011 meeting:

ORG/VENDOR NAME	WARRANT: 071811	AMOUNT

* Cap Improv Sales Tax Exp.		
HOUSEWORTH ENTERPRISES		180.00
* City Hall Expenses		
BIG V SUPERMARKET		26.32
CHRIS' LAWN CARE AND		95.00
CINTAS CORPORATION LOC. 177		44.31
CLAY COUNTY INFORMATION SERV		626.22
COVERALL OF KANSAS		234.00
CRETCHER HEARTLAND INCORPORATED		100.00
BILLY R DANE		175.00
ANNETTE DAVIS		25.00
DEFFENBAUGH DISPOSAL		30.00
MSC-410526		6.00
JIM ELDRIDGE		36.54
R. BRIAN HALL, PC		4,320.00

HOUSEWORTH ENTERPRISES	255.00
MISSOURI GAS ENERGY	72.32
NEXTEL COMMUNICATIONS	66.96
NPG NEWSPAPERS INC	123.59
PAYCOR PAYROLL SERVICES	161.82
U.S. POSTAL SERVICE	1,000.00
* Community Development Dir	
CINTAS CORPORATION LOC. 177	5.37
NEXTEL COMMUNICATIONS	100.43
SHELL	340.50
* Court & Legal Expenses	
LARRY E BUTCHER	950.00
CLAY COUNTY DETENTION	899.00
R. BRIAN HALL, PC	1,185.00
* General Admin. Revenues	
BIG RED'S FIREWORKS LLC	1,000.00
DAN BUNJER	1,000.00
HALE FIREWORKS, LLC	1,000.00
JAMES HOLLIWAY III	2,000.00
BURT SMITH	1,000.00
BREE ANN SWITZER	1,000.00
TNT FIREWORKS	1,000.00
* General Fund Balance Acct	
BLUE CROSS BLUE SHIELD OF KC	15,233.93
ING FINANCIAL ADVISERS,LLC	1,316.33
MO DEPT OF PUBLIC SAFETY	62.00
MO DEPT OF REVENUE-CVC	441.75
PAYCOR PAYROLL SERVICES	13,860.17
SYNERGY SERVICES INC	124.00
* Meter Deposit Expenses	
VICTORIA REID	24.98
* Museum/Chamber Bldg	
HOUSEWORTH ENTERPRISES	30.00
KEARNEY CHAMBER OF	50.00
MISSOURI GAS ENERGY	48.13
* Old Fire House	
CHRIS' LAWN CARE AND	45.00
MISSOURI GAS ENERGY	54.94
* Park Fund Balance Acct	
BLUE CROSS BLUE SHIELD OF KC	2,541.47
PAYCOR PAYROLL SERVICES	1,448.67
* Park Fund Expenses	
DEFFENBAUGH DISPOSAL	509.56
FLEET SERVICES	814.16
FRIES LAWN & LEISURE INC	30.70
HOUSEWORTH ENTERPRISES	798.75
IDEKER, INC.	40.00
NEW THEATRE RESTAURANT	1,031.00
NEXTEL COMMUNICATIONS	100.44
NPG NEWSPAPERS INC	209.06
PLATTE CLAY ELECTRIC	1,400.00
PUBLIC WATER SUPPLY	249.05
QUICK STOP	1,406.00
U.S. POSTAL SERVICE	1,000.00
JOAN H. UPDIKE	35.81
* Park Special Projects	

ACHING BACKLINE RENTALS	1,800.00
BARHAM CATTLE & FENCE CO	584.00
BIG V SUPERMARKET	217.33
GARY M BLACKWELL	135.00
LARRY DEAN BURNS	135.00
SHANNON R CRAWFORD	135.00
CUMULUS KANSAS CITY	2,420.00
GREG DYMOND	135.00
TYLER W EDWARDS	135.00
LONNIE ERWIN	135.00
NPG NEWSPAPERS INC	2,721.44
ANTHONY G PROPST	135.00
STEVEN L ROGERS	135.00
BRUCE W TRAXLER	135.00
* Police Dept. Expenses	
ALLMED	44.82
AMERICAN PRIDE EXPRESS LUBE	46.95
BIG V SUPERMARKET	148.44
THOMAS R. CAREY	183.13
CHRIS' LAWN CARE AND	45.00
CINTAS CORPORATION LOC. 177	158.30
CLAY CO SHERIFF'S DEPT	5,003.40
DEFFENBAUGH DISPOSAL	61.13
MSC-410526	26.75
FLEET SERVICES	2,309.71
HOUSEWORTH ENTERPRISES	150.00
MISSOURI GAS ENERGY	42.09
NEXTEL COMMUNICATIONS	334.79
O'REILLY AUTOMOTIVE INC	119.22
PORTER'S SERVICE	2,087.66
SHELL	1,164.19
U.S. POSTAL SERVICE	64.00
* Sewer Plant Expenses	
CII LABORATORY SERVICES	22.00
CENTRAL POWER SYSTEMS & SERVICE	795.87
CINTAS CORPORATION LOC. 177	30.50
DEFFENBAUGH DISPOSAL	20.00
FTC EQUIPMENT, LLC	135.00
HOUSEWORTH ENTERPRISES	172.50
KRAMER HARDWARE	95.28
MEYER LABORATORY, INC.	94.82
MIDWEST LABORATORIES INC	98.84
TELEDYNE ISCO, INC.	288.50
WATER PRODUCTS, INC.	31.00
WESTERN EXTRALITE COMPANY	108.24
YATES ELECTRIC CO.	868.00
* Street Department Expense	
ACE PIPE CLEANING, INC.	1,386.00
AGC ENGINEERS, INC.	1,078.85
VIRGIL BARCHERS	147.60
CINTAS CORPORATION LOC. 177	19.44
DEFFENBAUGH DISPOSAL	1,505.00
DRAKE SCRUGGS	10,308.90
FLEET SERVICES	727.44
GARY CROSSLEY FORD INC	3,532.00
HOUSEWORTH ENTERPRISES	139.75

KEARNEY FEED & SUPPLY	43.75
THE LARKIN GROUP	7,098.99
LONG VET CLINIC	150.00
MIDDLETON EXCAVATING	1,050.00
NEXTEL COMMUNICATIONS	133.91
O'REILLY AUTOMOTIVE INC	56.58
PLATTE CLAY ELECTRIC	6,779.55
PORTER'S SERVICE	21.00
T & S TIRE	427.87
* W & S Admin. Expenses	
AMERICAN PRIDE EXPRESS LUBE	33.85
CENTURYLINK	172.03
CINTAS CORPORATION LOC. 177	21.22
CITY OF KEARNEY	38,622.08
FLEET SERVICES	952.51
INTERSTATE AUTO SEVICE	93.00
KWIK LUBE	33.85
MISSOURI SALES TAX	1,979.04
NEXTEL COMMUNICATIONS	167.39
NPG NEWSPAPERS INC	468.00
O'REILLY AUTOMOTIVE INC	5.49
PORTER'S SERVICE	831.13
U.S. POSTAL SERVICE	800.00
* W&S Revenue Balance Acct	
BLUE CROSS BLUE SHIELD OF KC	3,549.57
ING FINANCIAL ADVISERS,LLC	210.00
PAYCOR PAYROLL SERVICES	4,071.54
* Water Plant Expenses	
AMERICAN BACKFLOW	72.00
BRENNTAG MID-SOUTH, INC	954.26
CINTAS CORPORATION LOC. 177	12.00
DECKER CONSTRUCTION	6,407.80
DEFFENBAUGH DISPOSAL	30.00
FTC EQUIPMENT, LLC	3,113.64
HACH CHEMICAL	1,145.79
HOUSEWORTH ENTERPRISES	330.50
JOHN'S SUPER	2.67
KANSAS CITY WINNELSON	2,522.40
KCMO WATER SERVICES	12,836.06
MEYER LABORATORY, INC.	94.83
MIDWEST PUMP & FOUNTAIN,LLC	1,738.00
MISSOURI GAS ENERGY	84.18
MISSOURI ONE CALL SYSTEM, INC.	201.50
THE UPS STORE	84.83
YATES ELECTRIC CO.	997.28

TOTAL	202,917.25

APPROVED: _____
 Billy R. Dane, Mayor

ATTEST: _____
 Joan H. Updike, City Clerk