

January 17, 2012

The Board of Aldermen, City of Kearney, Missouri, met in regular session at Kearney City Hall, 100 East Washington, January 17, 2012 at 6:30 P.M. with Mayor Dane presiding. Members present were Jeff Couchman, Tom Patterson, Jenny Hayes and Dan Holt. Staff members present were Jim Eldridge, David Pavlich, Shirley Zimmerman, Brian Hall and Molly McGovern.

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 3rd meeting
- Bills presented for payment
- Chain Link Fence at Street Barn, Low Bid Barham Fence, \$5,438
- Bucket Truck Repairs, Drake Scruggs, \$1,142.22
- Declare 2004 White Impala and 2004 Black Impala Surplus and Authorize sale by sealed bid
- Budget Amendment for Rose Mann Police Vests, \$10,889.85, Truck Bed Sale \$500
- Accept Meter Set Bids: Parts \$3,835 Water Products, Parts \$2,220.07 Winnelson, Meters - \$4,410 HD Supply

Alderman Holt said it seems like these cars have low mileage to be declaring them surplus. Staff said we do them in a rotation and these are the cars to be replaced.

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

MAYOR'S REMARKS

MARK FISHER, MoDOT, PROPOSED 92 HWY WIDENING, I-35 WEST TO NATION ROAD Mayor Dane said the City is fortunate to have MoDOT investing nearly \$6 million in road widening improvements. This funding was secured by Congressman Sam Graves.

Mark Fisher, MoDOT, presented displays showing the improvements to 92 Highway from just East of I-35 interchange to Nation Road. He also had a display showing sidewalks on the South side of 92 Highway, East to Platte Clay on the South side of the road and then sidewalks on the North side of 92 Highway on East to 33 Highway. He said the sidewalks depend on the funding available.

Mr. Fisher said there will be a traffic signal at North Country/Bennett Boulevard intersection. There will be a roundabout at Sam Barr Drive. The traffic light will be removed at Nation Road and a roundabout will be put in.

MARK FISHER, MoDOT, PROPOSED 92 HWY WIDENING, I-35 WEST TO NATION ROAD

Mr. Fisher said the project is scheduled to go out for bid in 2013. He said they will be purchasing right of way and that is sometimes a slow process. He said it will be a two season project. He said they will shut down 92 Highway from Sam Barr Drive to Nation Road but they plan to do that portion in a three to four month time frame. He said they will do the area at Sam Barr Drive one half at a time so there will be one lane of traffic each direction.

Alderman Holt said Chris Shipley uses Sam Barr Drive as access to 92 Highway with large trucks hauling his dirt moving equipment. He wondered if he will be able to get out of there. Mr. Fisher said he will be able to get out.

Alderwoman Hayes asked for someone to explain how it will work at Pilot. Mr. Fisher said it will be right in/right out at Pilot.

Kim Murphy said he would like to see documentation on going from a signalized interchange to a roundabout and the number of accidents. He said calculations aren't good statistics.

Bill Wilkerson said he didn't believe truck traffic could come thru the roundabouts and not damage their tires. Mr. Fisher said the apron of the circle is designed for truck tires to come up on it and not damage the tires.

Mayor Dane invited everyone to come to the open forum meeting here at City Hall January 24, 2012 from 4:00 P.M. to 7:00 P.M. He said MoDOT will be here to present the plans to the public and answer questions.

KEARNEY ENRICHMENT COUNCIL TO USE GARAGE BAY AT OLD FIRE HOUSE

Alderwoman Hayes said she will have a list of uses for the Old Fire House at the next meeting.

Alderwoman Hayes presented a proposal for the local food pantry to set up in the first garage bay on a temporary basis at the Old Fire House. She said they have been working out of two closets that are not large enough. She said they would use the bay for six to eight months until they can find a new location.

Staff said our lease agreement with the Kearney Enrichment permits them to use the building for the welfare of residents of the community subject to prior written consent of the City.

KEARNEY ENRICHMENT COUNCIL TO USE GARAGE BAY AT OLD FIRE HOUSE-CONT A motion was made by Alderman Holt and seconded by Alderman Patterson to allow the local food pantry to set up in the first garage bay on a temporary basis at the Old Fire House. The motion carried by a vote of three to zero with Alderwoman Hayes abstaining.

ADMINISTRATOR'S REPORT

WESTSIDE CID BOUNDARY EXPANSION PETITIONS SIGNED BY ARBYS, ECONOLODGE, GERRY BARR Staff said a public hearing of the Westside CID is being scheduled for Monday February 6th in order to expand the Westside CID. Petitions have been received from Arby's, Econolodge and the Gerry Barr family and we are still expecting to receive a petition from Pilot. This is the funding mechanism for the Bennett Boulevard improvements.

Staff reported that Kearney West Shopping Center owner, Star Development Corporation (Tim Harris) declined a request for boundary expansion, but offered instead to assume costs of constructing a street connection between Kearney West and Crossley's property to create a connection to North Country Avenue. This would create an alternate route to Route 92 at a signalized intersection which will better accommodate left turn movement from the shopping center.

Staff said the proposed expansion includes a substantial area along the new Bennett Boulevard for future growth and we are pleased with the cooperation and support received from the property owners.

Staff said it is contemplated a proposed agreement be drafted by Gilmore & Bell between the City and the Westside CID whereby the CID would borrow money from the City, then contract with the City to construct the Bennett Boulevard improvement. The CID would then pay the City back with interest to retire a loan amount with revenues from the one percent CID tax now generating approximately \$60,000 per year.

SECOND FEBRUARY MEETING ON PRESIDENT'S DAY Staff said they propose the Board schedule its second February meeting on the evening of President's Day, Monday, February 20th. It was the general consensus of the Board of Aldermen to do that.

CDBG APPLICATION FOR PLY GEM A Resolution, authorizing the Mayor to **RESOLUTION NO. 02-2012** sign an application for Community Development Block

Grant funding on behalf of Ply Gem to assist in acquiring public infrastructure (power improvements and transformer) for the purpose of expanding plant production and creating at least six new positions, was presented and read by Title only.

Molly McGovern presented the following document to the Board of Aldermen:

Public Hearing Recommendations during the public hearing

Public Hearing - City of Kearney, Tuesday, January 17, 2012 - 6:30 PM.

Name of Project: Project Ply Gem

Purpose of project, project goals & outcomes:

The purpose and need for the project is to accommodate an industrial development expansion. The Kearney operation will expand its operation with the purchase of additional manufacturing equipment and will result in the creation of 17 new jobs to the State of Missouri with an average salary of \$30,075 per year. The expansion requires improvements to the electrical feed serving the building to ensure reliability.

Description of all project activities by all funding sources and proposed costs broken down by funding sources proposed:

Company's Funds \$5,000,000 for equipment and \$68,700 matching funds for CDBG Grant

Requested for federal funds \$60,000 (Electric Feed upgrades)

Total cost of project including environmental review preparation and any mitigation/modification costs: The total cost of the project is estimated to be \$5,128,700

Timeline of project including environmental review approval, onset of property easements and acquisition, & construction activities.

Environmental Review Process	December 15, 2011 - January 31, 2012
Site Grading, completion of site control	February, 2012
Installation of machinery/equipment	July, 2012
Completion of Project	November, 2012

Whether acquisition and/or relocation is necessary for the project - outline rights of property owners under the federal Uniform Relocation Act requirements: Ply Gem owns the property, no acquisition and/or relocation is necessary for the project.

Identify all anticipated environmental impacts project activities could have on natural, human, and manmade environments: The project is undergoing a NEPA review and it has been determined that the project activities are not anticipated to have an adverse

impact on Historic Properties (State Historic Preservation or Indian Tribes); Floodplain management, Flood Insurance, Wetlands Protection, Airport Hazards, Endangered species, Wild & Scenic Rivers, Farmland Protection, Noise Control, Explosive/Flammable Operations, Water Quality, Air Quality, Coastal Zones, Contamination/Toxic Materials, and Environmental Justice.

Identify all anticipated environmental impacts to the project by surrounding environments: The surrounding environment according to the categories listed above were also evaluated. The project area is surrounded by mixed uses including commercial, industrial and residential uses. As to trends likely to continue with the project expansion, it is expected that there will not be any future change in current uses.

All required permitting: The project will require compliance with subdivision and zoning regulations, and building codes.

All mitigation, project modification, and conditions for approval anticipated during the project: NA, the project will incorporate appropriate business practices as needed to comply with local city ordinances and requirements and environmental regulations.

General overview of CDBG environmental review procedures:

1. HISTORIC PRESERVATION: If Current project area or scope of work is changed, a borrow area (source of fill material) is included in the project, or cultural materials are encountered during construction, appropriate information must be provided to SHPO for review.
2. AIR QUALITY: If the new operation changes the company's current exempt air permitting status, the company will obtain the required air operating permits.
3. Completion of performance public hearing near the end of the project to receive public comment about the project.

Individuals or entity preparing the environmental review on behalf of the RE is Molly McGovern, Kearney Area Development Council.

Confidentiality to the extent feasible about proprietary information, business plans, and privacy of property owners.

Adequate time for discussion, questions, and answers

Flexibility for any follow-up information or additional public meetings, as deemed necessary (particularly for controversial projects)

Mayor Dane asked what the amount of the grant was. Ms. McGovern said the grant is for \$60,000 to assist in the acquisition of a transformer and utility power line upgrade costing \$128,700.

Bryan Beasley and Ken Knox were in attendance representing Ply Gem.

The floor was open 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 resolution authorizing the Mayor to sign an application for Community Development Block Grant funding on behalf of Ply Gem to assist in acquiring public infrastructure (power improvements and transformer) for the purpose of expanding plant production and creating at least six new positions. The motion carried unanimously by a vote of three to zero with Alderman Couchman abstaining.

OLD BUSINESS

ELECTION FOR SOLID WASTE AND CURBSIDE RECYCLING QUESTION

ORDINANCE NO. 1181-2012 Bill No. 01-2012, an ordinance, calling a special election on April 3, 2012 to consider fee amounts for solid waste collection and curbside recycling, was presented and read by Title only.

Alderman Holt said he thought the ballot question should have been clear about the increases but understands that the City Attorney believes we can't do that.

Mayor Dane said this vote is accepting the language to be put on the ballot and is not selecting a vendor.

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 unanimously.

A motion was made by Alderwoman Hayes and seconded by Alderman Couchman to place Bill No. 01-2012 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, Hayes and Couchman. The motion carried by a four to zero vote. The Bill was then duly numbered Ordinance No. 1181-2011.

SETTING BUILDING PERMIT FEES AT ZERO Bill No. 02-1012, an ordinance **ORDINANCE NO. 02-2012** setting the building permit fees at zero cost through June 30,2012, was presented and read by Title only.

SETTING BUILDING PERMIT FEES AT ZERO Mayor Dane said we had permits **ORDINANCE NO. 02-2012** at a fee of \$300 for 2011 and issued thirty permits, which was second to Kansas City in Clay County. He said at some time we will have to start charging fees but at this time we must continue to encourage building in Kearney.

Mayor Dane said issuing these permits will keep plumbers, electricians, siding companies, etc. busy in town. It also will increase our tax revenue by these homes being built.

Alderman Couchman asked if this would only be good for residential building. Staff said that is correct.

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

A motion was made by Alderwoman Hayes and seconded by Alderman Patterson to place Bill No. 02-2012 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, Hayes and Couchman. The motion carried by a four to zero vote. The Bill was then duly numbered Ordinance No. 1182-2011.

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

The following bills were presented for payment at the January 17, 2012 meeting:

ORG/VENDOR NAME	AMOUNT
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* 1996 SRF REV BD Expense	
UMB BANK	7,246.43
* 2001 SRF Rev Bd Expense	
UMB BANK	15,647.47
* City Hall Expenses	
BIG V SUPERMARKET	43.51
CINTAS CORPORATION LOC. 177	39.69
CRETCHER HEARTLAND INCORPORATED	100.00
DEFFENBAUGH DISPOSAL	69.16
275-FAIRPOINT COMMUNICATIONS	420.18
R. BRIAN HALL, PC	4,035.00
MIDWEST DATA CENTER	32.00
MISSOURI GAS ENERGY	322.01
MO MUNICIPAL LEAGUE	174.37
NEWEGG, INC	134.84
NEXTEL COMMUNICATIONS	62.91
NPG NEWSPAPERS INC	54.88
PAYCOR PAYROLL SERVICES	446.38
REVISOR OF STATUTES	100.00
STAPLES ADVANTAGE	229.93
TEK-COLLECT	1,373.84

UNISOURCE, INC	60.69
CARD SERVICES (VISA)	47.12
* Community Development Dir	
CINTAS CORPORATION LOC. 177	9.50
CITY OF KEARNEY-PETY CSH	33.34
NEWEGG, INC	209.81
NEXTEL COMMUNICATIONS	122.90
DAVID PAVLICH	200.34
PLATTE CLAY ELECTRIC	161.42
UNISOURCE, INC	60.69
* Court & Legal Expenses	
LARRY E BUTCHER	475.00
R. BRIAN HALL, PC	525.00
* General Admin. Revenues	
THOMAS R BULLER	25.06
CITY OF KEARNEY-PETY CSH	70.32
RODNEY L FOLTZ	71.02
BRENT D HOLLIS	40.19
ASHLEIGH B SMITH	13.73
* General Fund Balance Acct	
ING FINANCIAL ADVISERS,LLC	1,371.33
PAYCOR PAYROLL SERVICES	14,764.09
* Museum/Chamber Bldg	
MISSOURI GAS ENERGY	104.94
NPG NEWSPAPERS INC	99.30
* Old Fire House	
AMEREN UE	40.41
MISSOURI GAS ENERGY	259.16
* Park Fund Balance Acct	
PAYCOR PAYROLL SERVICES	981.35
* Park Fund Expenses	
BIG V SUPERMARKET	281.07
COLE PRINTING	90.00
DEFFENBAUGH DISPOSAL	35.12
KRAMER HARDWARE	31.84
ERIN LEON	30.00
NEXTEL COMMUNICATIONS	94.36
O'REILLY AUTOMOTIVE INC	36.58
PUBLIC WATER SUPPLY	195.62
QUALITY HILL PLAYHOUSE	334.00
QUICK STOP	642.00
YATES ELECTRIC CO.	537.00
* Police Dept. Expenses	
ALAMAR UNIFORMS OF KANSAS CITY	10,207.00
BASE ELECTRIC, LLC	890.00
BIG V SUPERMARKET	243.71
DEFFENBAUGH DISPOSAL	65.22
275-FAIRPOINT COMMUNICATIONS	556.98
HUNTS CAR CARE CENTER	1,613.79
INTERSTATE BATTERIES	329.73
J & K AUTO REPAIR	259.07
KWIK LUBE	78.70
MOCIC	150.00
MISSOURI GAS ENERGY	42.09
NEXTEL COMMUNICATIONS	343.08
NORTHEAST WISCONSIN	175.00
O'REILLY AUTOMOTIVE INC	199.79

PLATTE CLAY ELECTRIC	2,408.90
REVISOR OF STATUTES	100.00
STAPLES ADVANTAGE	229.94
STUCKEY'S SERVICE CENTER	50.00
U.S. POSTAL SERVICE	88.00
* Police Station Debt	
KEARNEY TRUST COMPANY	7,524.01
* Sewer Plant Expenses	
BIG V SUPERMARKET	8.48
DECKER CONSTRUCTION	1,536.00
HACH CHEMICAL	328.39
MIDWEST LABORATORIES INC	531.30
O'REILLY AUTOMOTIVE INC	4.29
USA BLUE BOOK	613.04
WATER TECH, INC	3,263.22
* Street Department Expense	
AMEREN UE	25.31
AMERICAN PRIDE EXPRESS LUBE	34.95
CINTAS CORPORATION LOC. 177	38.88
CITY OF KEARNEY-PETY CSH	33.33
DEAN MACHINERY CO	334.20
DEFFENBAUGH DISPOSAL	1,465.99
DRAKE SCRUGGS	1,142.22
KEARNEY LAWN &	15.00
MISSOURI GAS ENERGY	149.34
NEXTEL COMMUNICATIONS	125.82
O'REILLY AUTOMOTIVE INC	101.30
PLATTE CLAY ELECTRIC	7,566.29
PORTER'S SERVICE	1,055.26
THE SHERWIN-WILLIAMS CO.	760.10
* W & S Admin. Expenses	
AMERICAN PRIDE EXPRESS LUBE	34.95
CENTURYLINK	180.64
CINTAS CORPORATION LOC. 177	42.44
CITY OF KEARNEY-PETY CSH	33.33
275-FAIRPOINT COMMUNICATIONS	108.39
KEARNEY BODY SHOP	102.13
MISSOURI SALES TAX	2,129.95
MO WATER & WASTEWATER	75.00
NEXTEL COMMUNICATIONS	157.27
O'REILLY AUTOMOTIVE INC	64.14
PLATTE CLAY ELECTRIC	761.98
STAPLES ADVANTAGE	229.93
U.S. POSTAL SERVICE	2,000.00
* W & S Oblig. Expenses	
UMB BANK	5,463.44
* W&S Revenue Balance Acct	
ING FINANCIAL ADVISERS,LLC	260.00
PAYCOR PAYROLL SERVICES	4,560.80
* Water Plant Expenses	
ADT SECURITY SERVICES	31.95
CINTAS CORPORATION LOC. 177	12.00
DECKER CONSTRUCTION	1,776.00
DEFFENBAUGH DISPOSAL	69.16
HACH CHEMICAL	890.52
MISSOURI GAS ENERGY	477.51
MISSOURI ONE CALL SYSTEM, INC.	76.70

O'REILLY AUTOMOTIVE INC	19.22
THE UPS STORE	83.63
YATES ELECTRIC CO.	134.25
* Wireless Cap Imp Exp-Strt	
LARRY HAMPTON	1,445.00

TOTAL	118,494.95

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