

June 23, 2014

The Board of Aldermen, City of Kearney, Missouri, met in special session at Kearney City Hall, 100 East Washington, June 23, 2014 at 5:30 P.M. with Mayor Bill Dane presiding. Members present were Jeff Couchman, Dan Holt, Marie Steiner and Gerri Spencer. Staff members present were Jim Eldridge and David Pavlich.

The purpose of the special meeting was to consider a request from the Kearney R-1 School District seeking a re-zoning, conditional use permit and final plat of property at 1001 North 33 Highway to develop a transportation maintenance facility.

Mayor Dane opened the meeting with the Pledge of the Allegiance.

PUBLIC HEARINGS

KEARNEY SCHOOL BUS MAINT FACILITY, 1001 N 33 HWY, REZONING TO M-P AND CU PERMIT FOR AQUIFER PROTECTION DISTRICT A public hearing was continued from the June 16th Board of Aldermen meeting to consider a request from the Kearney School R-1 School District for a rezoning request from M Industrial District to M-P Industrial Planned District and a Conditional Use Permit for a Vehicle washing station within the Aquifer Protection Overlay District at 1001 North 33 Highway (north of LPG Ventures).

The Rezoning and Conditional Use Permit will accommodate a Maintenance and Transportation Facility planned by the School District for its school buses.

When this matter was before the Planning and Zoning Commission, the applicant proposed a 6 year time line to operate with a crushed rock parking lot. The Planning and Zoning Commission unanimously approved the project subject to a paved parking area with initial construction. The City Staff Report, on both the request for re-zoning to M-P Industrial Planned District, and request for Conditional Use for a Vehicle Wash Station and Fueling Station in the Aquifer Protection Overlay District; and minutes of the June 9, 2014 Planning Commission public hearing, were submitted into record.

Mayor Dane reported the School has an agreement with a local concrete plant to provide concrete material at a reduced rate to pave the parking area within the next two years. He believed it only right the City help the School take advantage of an opportunity to save money on the project. Mayor Dane strongly recommended the Board consider approval of the re-zoning request based on a two year timetable for paving the school bus parking lot, noting the City has long been a good partner with the School on many projects.

Alderman Spencer asked if there were something to give the City control to enforce the 2 year provision. School Superintendent Dr. Bill Nicely suggested the School could provide such assurances.

Alderman Holt asked if the floor had been opened to continue the public hearing—Mayor Dane confirmed the Public Hearing had been re-convened from June 16th and invited all those present to speak for or against the re-zoning request and conditional use permit being sought by the Kearney R-1 School District at 1001 North 33 Highway. Persons would be given the

opportunity to be heard by coming to the podium, giving their name and address. Receiving no comment, Mayor Dane closed the floor to further public comment.

Alderman Holt reported he had spoken with Water and Sewer Superintendent Jay Bettis concerning the aquifer protection overlay district, relative to the School's request to operate with a crushed rock parking area for a period of time. The concern premised on the ability of a paved parking area offer better containment of oil and fuels spills. Alderman Holt reported that Bettis was more comfortable with a shorter 2 year time frame.

Mayor Dane noted that oil containment pans are made for leaking equipment and requested the School to responsibly manage his buses in such a way as to capture leaking oil. Dr. Nicely assured the Board such measures would be taken, noting the School's contract requires buses to be no older than 6 years—so essentially the equipment is new.

Alderman Steiner asked how the containment for washing buses was handled. Rod Oathout, DLR Group, explained the buses would be washed inside the building and waste water would be run through an oil/water separator prior to being released into the City's sanitary sewer.

Alderman Holt believed the Planning and Zoning Commission would be in approval with a two year time frame on completing the paved parking areas. David Pavlich also reported the Planning and Zoning Commission's sole issue was the timetable for paving the parking areas, and also believed the new proposal would be acceptable to them.

KEARNEY R-1 SCHOOL DISTRICT TRANSPORTATION MAINTENANCE FACILITY, RE-ZONING TO M-P, PLANNED INDUSTRIAL, 1001 N. 33 HWY

ORDINANCE NO. 1251-2014 Bill No. 18-2014, a proposed ordinance amending Chapter 400 of the Municipal Code (the Comprehensive Zoning Regulations) of Kearney, Missouri, re-zoning 7 acres at 1001 North 33 Highway to M-P – Industrial Planned District, as requested by the Kearney School District, was presented and read by Title only.

A motion was made by Alderman Spencer and seconded by Alderman Holt 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 Couchman to place Bill No. 18-2014 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: Steiner, Spencer, Holt and Couchman. The motion carried unanimously. The Bill was then duly numbered **Ordinance No. 1251-2014**.

KEARNEY R-1 SCHOOL DISTRICT TRANSPORTATION MAINTENANCE FACILITY, CONDITIONAL USE PERMIT FOR AQUIFER OVERLAY DISTRICT, 1001 N. 33 HWY, ORDINANCE NO. 1252-2014

Bill No. 19-2014, a proposed ordinance granting a conditional use permit allowing a vehicle washing station on property zoned AQ – Aquifer Protection District at 1001 North 33 Highway, as requested by the Kearney School District, was presented and read by Title only.

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 Spencer and seconded by Alderman Steiner to place Bill No. 19-2014 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: Steiner, Spencer, Holt and Couchman. The motion carried unanimously. The Bill was then duly numbered **Ordinance No. 1252-2014**.

KEARNEY R-1 SCHOOL DISTRICT MAINTENCE & TRANSPORTATION FACILITY PLAT SUBDIVISION—FINAL PLAT ORDINANCE NO. 1253-2014 Bill No. 20-2014, a proposed ordinance approving the final plat of Kearney R-1 School District Maintenance & Transportation Facility Plat, a Subdivision in Kearney, Missouri, and accepting the dedication of Right-of-Ways and easements thereon, was presented and read by Title only.

A motion was made by Alderman Spencer and seconded by Alderman Steiner 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 Steiner to place Bill No. 20-2014 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: Steiner, Spencer, Holt and Couchman. The motion carried unanimously. The Bill was then duly numbered **Ordinance No. 1253-2014**.

ALDERMEN DISCUSSION

ALDERMAN HOLT—POTHOLE AT PLATTE CLAY WAY AND 92 AT SONIC

Alderman Holt reported a pothole at Platte Clay Way and 92 (at Sonic) which was likely in MoDOT Right-of-way, needing attention.

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

APPROVED: _____ **ATTEST:** _____
Billy R. Dane, Mayor **Jim Eldridge, City Clerk**