

December 22, 2008

The Board of Aldermen, City of Kearney, Missouri, met in special session at Kearney City Hall, 100 East Washington, December 22, 2008 at 6:30 P.M. with Mayor Dane presiding. Members present were Jeff Couchman, Alan Gustin and Dan Holt. Jenny Hayes was absent. Staff members present were Jim Eldridge, Shirley Zimmerman and Eric Marshall.

INSURANCE BIDS Mayor Dane said Staff has met with insurance agents over the last thirty days to get seven quotes for insurance bids.

Staff said they recommend awarding the 2009 insurance bid to Cretcher Heartland for the lowest and best bid from One Beacon Insurance Company for \$91,447. Staff said somehow the rental property next to City Hall wasn't included in the bids from all seven quotes. This will be included when we get the final policy on January 1st.

Alderman Holt said last year there was an issue in regard to coverage of volunteers under the general liability. Rex Sweetwood, Cretcher Heartland, said this isn't an issue with One Beacon as long as they are under the direction of City Staff.

Alderman Couchman asked if this policy would change if we should annex more land. Mr. Sweetwood said land area is not an underwriting issue. He said the Airport isn't under the City's ownership or jurisdiction so we aren't liable for that. We would only cover the roads that we annex.

A motion was made by Alderman Gustin and seconded by Alderman Holt to accept the lowest and best bid from One Beacon Insurance Company for \$91,447 through Cretcher Heartland as the agent. The motion carried unanimously.

Mayor Dane said Cretcher Heartland will be working with us through out the year on good practices to help keep our insurance at low premiums.

JESSE JAMES PARK RESERVATION AGREEMENT A Resolution, authorizing the **RESOLUTION NO. 29-2008** Mayor to sign a Park Reservation Agreement between the Jesse James Festival, Inc. and the City of Kearney, was presented and read by Title only.

Mayor Dane said when getting our insurance quotes we discovered that the liability coverage by the Jesse James Festival needed to be increased from 1 million to 2.4 million.

Mayor Dane said the Park Reservation Agreement will have the three following changes to the agreement:

1. The 3rd Whereas clause adds the language "annual Jesse James Day Festival continue with traditional events, music and activities that adults and children can enjoy together."
2. Insurance requirement update from \$1,000,000 to the new sovereign immunity limit for public entities (\$2,418,992 in 2008).

JESSE JAMES PARK RESERVATION AGREEMENT 3. In paragraph 3, new language **RESOLUTION NO. 29-2008** added “the new amphitheater may not be used without specific written approval by the City Park Board.”

The Park Board unanimously passed this at their December 16th meeting. The Festival Committee didn't have any problems with it either.

Alderman Holt asked if this is enough coverage for events like the Mud Run or the Demolition Derby.

Alderman Couchman said any event like that has to have a contract with a Company running the event and they must have insurance.

Mayor Dane said we are going to require that anyone having an event in the park must turn in insurance coverage to the City sixty days prior to the event or we won't allow the event to be scheduled. He said we must start being really strict about this as we have more events being held in the park.

Alderman Gustin asked if the Rodeo provides extra insurance in the event the livestock gets out, etc. Staff said the stock company that provides the livestock carries coverage of their own for that.

A motion was made by Alderman Couchman and seconded by Alderman Holt to approve the Resolution, authorizing the Mayor to sign a Park Reservation Agreement between the Jesse James Festival, Inc. and the City of Kearney as presented. The motion carried unanimously.

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.

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