

May 3, 2010

The Board of Aldermen, City of Kearney, Missouri, met in regular session at Kearney City Hall, 100 East Washington, May 3, 2010 at 6:30 P.M. with Mayor Dane presiding. Members present were Jeff Couchman, Jenny Hayes and Tom Patterson. Alan Gustin was absent. Staff members present were Jim Eldridge, David Pavlich, Shirley Zimmerman, Jay Bettis, Ryan Marcotte and Eric Marshall.

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 April 19th meeting
- Bills presented for payment

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

MAYOR'S REMARKS

PLAQUE ON FOUNTAIN Mayor Dane said he would like for the Board of Aldermen to consider putting a plaque on the fountain in front of the Chamber of Commerce noting that Darrell Cave donated the grindstone which sits on top of the fountain. He said Mr. Cave's grandfather was a founder of the City. He has been very helpful in getting the museum started and working there.

PAVILION AT KEARNEY AMPHITHEATER Mayor Dane said we would like to put a pavilion cover over the concrete slabs that form an "L" around the concession stand area. It would cost approximately \$150,000.

Mayor Dane said we have \$50,000 in the budget to put down on this project. Both Kearney Commercial Bank and Kearney Trust Company will finance the \$100,000 for ten years with a \$12,000 annual payment.

North Kansas City Beverage will contribute \$12,000 a year to the City. They have been the Budweiser provider for the Jesse James Festival for many years.

Eric Marshall, Park Director, said we are on a very tight time line to be able to have this completed by July 3rd.

Mr. Marshall said in the past North Kansas City Beverage paid the Jesse James Festival \$5,000 and the Knights of Columbus \$2,500. Both of them will turn that money over to the City since they won't have to obtain tents. The Company will contribute the remaining amount of the \$12,000.

PAVILION AT KEARNEY AMPHITHEATER-CONT Mr. Marshall said North Kansas City Beverage will be a season sponsor for the Amphitheater. He said we are unsure when they will actually make the \$12,000 contribution each year.

Mr. Marshall said with approval we would advertise the next two weeks. The bid opening would be May 27th. It will take them 750 man hours to complete. He said he would like to have a special meeting June 1st to accept the bids. They would deliver the materials on June 14th and hopefully have it done by July 3rd.

Alderwoman Hayes asked if the anticipated cost is \$100,000. Mr. Marshall said the total cost would be \$150,000.

Alderwoman Hayes asked if the pay off is for ten years do we know that North Kansas City Beverage would renew after the five years. Staff said they have always been there for Jesse James Festival for twenty five years. Staff said actually we should end up recouping our cost also. Jesse James Festival has agreed to let us have their money for ten years.

Ryan Marcotte said it will be designed to match the current buildings there. The cupolas on the top will be lighted.

Alderman Couchman asked how this area would compare to the tent areas during the festival. Staff said we should actually have more seating capacity.

Staff said we will move the inflatable's for July 3rd up by the flag pole.

Mayor Dane said we should be able to rent this area out for corporate events and amphitheater events. Smaller groups may want to use it for birthday parties, etc.

Mayor Dane said the good side of this is that we have the \$50,000 in the budget. North Kansas City Beverage will pay \$12,000 a year to pay the debt and interest. This will be a continuation of expanding and improving Jesse James Park. If for some unforeseen reason North Kansas City Beverage would fold the Jesse James Festival and Knights of Columbus would probably continue to pay us.

Alderman Patterson asked how much the Jesse James Festival pays the City. Staff said that amount is \$5,000.

A motion was made by Alderman Couchman and seconded by Alderwoman Hayes to authorize Staff to go out for bid for the Pavilion and secure financing. The motion carried unanimously.

BUILDING PERMIT FEES Mayor Dane said the building permit fees at \$300 for twenty five permits was a huge success. He said they are all pulled but he doesn't think we are out of the woods yet with the housing situation. He said he would like to

BUILDING PERMIT FEES-CONT recommends that from now until July 1st we issue permits for \$1,000. He said after that we can consider going to half price or something higher.

Alderman Couchman asked if anyone has come in and pulled a permit at full price. Staff said Robertson Construction brought two in but they pulled them back when they learned the \$300 permits were gone.

A motion was made by Alderman Couchman and seconded by Alderman Patterson to offer building permits for \$1,000 until July 1st. The motion carried unanimously.

ADMINISTRATOR'S REPORT

PEDESTRIAN CROSSWALK ON 19TH STREET Staff reported that in response to Alderman Patterson's suggestion we have the crosswalk at 19th Street re-signed with pedestrian emblems and crossing signs.

PUBLIC REQUESTS & PETITIONS

UTILITY SERVICE COMPANY CONTRACTS A Resolution, authorizing the **RESOLUTION NO. 13-2010** Mayor to sign a maintenance contract with Utility Service Company for the Variform Standpipe and I-35 water tower for \$56,135 a year for seven years, was presented and read by Title only.

Staff said we took the agreement to Brian Hall and he made a few wording changes and it is ready to go. We believe this is the best way to address water tower maintenance. Their service provides all necessary engineering and assures compliance with the Missouri DNR's regulations.

Alderman Patterson asked if we don't pay the annual fee until the work is done, what happens if it goes over into the next budget year. Tom Stechman, Utility Service Company, said if that should happen they would just move the payments on out so we don't have to pay two in one budget year.

Alderman Patterson asked why we are only doing two of the towers. Staff said these two need it the most. We will be getting a price for the third tower in the future.

Alderman Patterson said in the excluded items of the contract it mentions City paying for disposal of any hazardous materials. Mr. Stechman said that is only if there are hazardous materials in the current finish there, after that they will be responsible for them.

A motion was made by Alderwoman Hayes and seconded by Alderman Patterson to approve the maintenance contract with Utility Service Company for the Variform Standpipe and I-35 water tower for \$56,135 a year for seven years. The motion carried unanimously.

“PUT A LID ON IT” INDOOR ARENA PROJECT Steve McDonald, representative of “Put A Lid On It” project, said they want to ultimately have an indoor rodeo arena at Jesse James Park. This would give the City year round access to Jesse James Park for events.

Mr. McDonald presented a power point presentation. They would have one hundred percent financing before doing the project. He said Phase 1 would be the main arena and Phase 2 would be the entry way. It would be 200 by 250 feet in size.

Mr. McDonald said they feel that an arena board should be established since this is a different type of entertainment. This board could then work under the Park Board. They would like to have a target date of the Spring of 2011 to start on this.

Mayor Dane asked Alderman Couchman if this had been presented to the Park Board and what they thought. Alderman Couchman said they thought it was a good idea but they would need a lot of money to accomplish this.

Alderman Patterson asked if the other arenas that they had looked at were a similar situation where they worked with the City. Mr. McDonald said they were all different. He said one was operated by Boone County and the other two were privately owned.

Alderman Patterson asked how many shows they would have per year. Mr. McDonald said Boone County has an event every week. He said he doesn't feel it will be under utilized.

Craig Fischer, committee member, said they would like to see a Clay County Fair be held there. They hope to partner with the County for some events.

Alderman Patterson said we have run into the situation where a group can't use the City facilities to make a profit, so would this fall under that. Alderwoman Hayes said this would be a group having the ability to cover costs and should be alright.

Mayor Dane said he loves the idea but there are some things that would have to be addressed. He said there can't be a separate Board for this facility. He said maybe there could be a sub Board to the Park Board.

Mayor Dane said he is very concerned about parking and especially if an event overlaps on any concert. He said horse events bring in big trucks and trailers and we don't want the grass rutted up so cars can't use it.

Craig Fischer said they could put down gravel where the carnival sets up because they would rather be on gravel than grass. Mayor Dane said we have a dust free surface policy in the City and we can't be the largest violator of the policy. It would have to be hard surface.

“PUT A LID ON IT” INDOOR ARENA PROJECT-CONT Mayor Dane said they will need help from Molly McGovern to set up tax credits. He said it is a huge amount of work to collect the money and get the tax credits. He said it will be another venue bringing people into our City. He said we can only give tentative approval at this time. We need better drawings by an architect before we could give full approval.

A motion was made by Alderman Couchman and seconded by Alderman Patterson to give approval for the “Put A Lid On It” Indoor Arena Project to proceed with fund raising and allow Molly McGovern to help with grants/tax credits. The motion carried unanimously.

Mayor Dane said before you can start on the project you will have to address parking and bring in details of the project to go thru the permit process.

OLD BUSINESS

OLD POLICE STATION BUILDING DISCUSSION Mayor Dane asked if anyone needed to see the power point presentation on Alderwoman Hayes’s proposal for the old police station building. Everyone said no.

Mayor Dane said as a group we need to either accept the proposal or come to a decision to do something else with the building. He said he thought the concept of the Boys and Girls Club was a good idea.

Alderman Couchman said the Park Board wants room in the building to store the sound equipment during the off season of the Amphitheater. He said we also need to have a place for the Explorers Post to meet, etc.

Alderman Patterson said he just wanted to see the building be a compliment to Lion’s Park. He said he thought the Boys and Girls Club is a good idea.

Alderman Couchman asked if the Boys and Girls Club is self supporting. Alderwoman Hayes said they will have dues to help cover costs. The City would have to pick up the maintenance and cleaning of the building.

Alderman Patterson asked if the Boys and Girls Club would pay rent. Alderwoman Hayes said they could but they would ask for a waiver.

Alderman Couchman asked where the headquarters were for the Boys and Girls Club. Alderwoman Hayes said there is one in Kansas City but she would probably work through the one in Sedalia.

Mayor Dane said the Boys and Girls Club will work with the schools and the police to see what the needs are in the community and then develop programs from there.

OLD POLICE STATION BUILDING DISCUSSION-CONT Alderman Couchman asked what age they would target. Alderwoman Hayes said it would start with twelve to fifteen. As it grows they could expand to cover other ages.

A motion was made by Alderman Patterson and seconded by Alderman Couchman to accept the proposed plan for the old police station and allow them to work with Molly McGovern for fund raising. The motion carried unanimously.

NEW BUSINESS

CHANGE ORDER FOR STAIRWAY AT POLICE STATION A Resolution, **RESOLUTION NO. 14-2010** authorizing a change order with Glen Rogers for Police Station stairway, underlayment under tile and remove and replace extra lights for \$66,219.00, was presented and read by Title only.

Staff said this stairway will give us code compliant access to the basement of the building. This will still keep us within budget for the project.

A motion was made by Alderwoman Hayes and seconded by Alderman Patterson to approve the Resolution authorizing a change order with Glen Rogers for Police Station stairway, underlayment under tile and remove and replace extra lights for \$66,219.00. The motion carried unanimously.

GREASE TRAP ORDINANCE Bill No. 13-2010, an ordinance regulating grease traps, was presented and read by Title only.

Staff said we had no specifics in regard to maintenance of grease traps in our current ordinances. We will now require maintenance of grease traps and provision of maintenance records must be provided to the City Water Department.

Alderman Couchman asked how often they would have to have them cleaned. Staff said once a year.

Alderwoman Hayes asked if any businesses would be grandfathered. Staff said no.

Alderman Couchman asked how you regulate this and make sure all get done. Staff said it would probably be done along with backflow testing which is due May 1st every year.

Alderman Patterson asked how long they would be allowed to get this done. Staff said we will work out a time frame and it probably would be sixty to ninety days.

Alderwoman Hayes asked what happens if a business doesn't comply. Staff said we can disconnect their service.

GREASE TRAP ORDINANCE A motion was made by Alderman Patterson and
ORDINANCE NO. 1138-2010 seconded by Alderwoman Hayes to approve the
ordinance as read on the first reading. The motion carried by a vote of three to zero.

A motion was made by Alderman Couchman and seconded by Alderman Patterson to
place Bill No. 13-2010 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, Couchman and Patterson. The motion carried by a three to zero vote. The Bill
was then duly numbered **Ordinance No. 1138-2010**.

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

The following bills were presented for payment at the May 3, 2010 meeting:

ORG/VENDOR NAME	WARRANT: 050310	AMOUNT

* 1996 SRF REV BD Expense		
UMB BANK		5,107.00
* 2001 SRF Rev Bd Expense		
UMB BANK		14,955.44
* Cap Improv Sales Tax Exp.		
HOUSEWORTH ENTERPRISES		360.00
* City Hall Expenses		
CINTAS CORPORATION #690		120.41
BILLY R DANE		175.00
HOUSEWORTH ENTERPRISES		780.00
KEARNEY CHAMBER OF		50.00
MO DEPT OF REVENUE		35.00
NPG NEWSPAPERS INC		61.75
PAYCOR PAYROLL SERVICES		179.81
PERSONAL TOUCH ENGRAVING		8.00
GERRI SPENCER		29.11
YATES ELECTRIC CO.		99.50
* Community Development Dir		
CINTAS CORPORATION #690		19.90
CITY OF KEARNEY-PETY CSH		25.00
CONOCO		161.74
KRAMER HARDWARE		16.58
* Court & Legal Expenses		
CLAY COUNTY DETENTION		465.00
* General Admin. Revenues		
BRANDON CARTY		1,078.08
ANDREW COBB		216.89
JONI FILLEY		232.59
STEVEN A OR MARY K HOY		1,700.91
MISSOURI FARM BUREAU		845.82
* General Fund Balance Acct		
AFLAC/REMITTANCE		245.56
BLUE CROSS BLUE SHIELD OF KC		11,351.06
DELTA DENTAL OF MISSOURI		1,037.71
ING FINANCIAL ADVISERS,LLC		1,196.33

MISSOURI LAGERS	9,917.06
PAYCOR PAYROLL SERVICES	13,529.85
VISION SERVICE PLAN (IC)	297.30
* Meter Deposit Expenses	
PATTY BOOTH	35.00
JIM CARLSON CONSTRUCTION	62.28
CLARENCE KING JR	40.21
LISA KREIPE	8.50
GARY LACKEY	48.50
SEAN LAFFEY	33.09
RYAN PARRISH	47.55
SUSAN REID	57.28
ROBERTSON CONSTRUCTION,LLC	55.05
KATHY SLOAN	48.50
JAMES SMITH	30.93
JULIA ZIMMERMAN	6.84
* Park Fund Balance Acct	
BLUE CROSS BLUE SHIELD OF KC	2,036.72
DELTA DENTAL OF MISSOURI	152.23
MISSOURI LAGERS	1,259.95
PAYCOR PAYROLL SERVICES	1,421.06
VISION SERVICE PLAN (IC)	43.83
* Park Fund Expenses	
ATHCO LLC	1,760.20
CHRIS' LAWN CARE AND	277.50
CINTAS CORPORATION #690	12.34
CITY OF KEARNEY-PETY CSH	25.00
CONOCO	472.32
FRIES LAWN & LEISURE INC	37.90
FRY & ASSOCIATES	43.00
HOLLIDAY SAND AND	327.05
HOUSEWORTH ENTERPRISES	1,718.85
KEARNEY LAWN &	65.44
KRAMER HARDWARE	273.71
NEW THEATRE RESTAURANT	957.00
ORSCHELNS CARD CENTER	7.19
PLATTE CLAY ELECTRIC	1,411.03
PORTER'S BUILDING CENTER	4.49
PORTER'S SERVICE	236.08
QUICK STOP	490.00
TOMARK SPORTS	1,143.27
WESTERN EXTRALITE COMPANY	24.93
YATES ELECTRIC CO.	1,858.07
* Park Special Projects	
PORTER'S BUILDING CENTER	61.17
U.S. POSTAL SERVICE	2,930.71
YATES ELECTRIC CO.	799.82
* Police Dept. Expenses	
THE ARMORY	80.80
BOARD OF POLICE	115.90
THOMAS R. CAREY	215.00
CENTRAL POWER SYSTEMS & SERVICE	337.50
CHILDREN'S MERCY HOSPITAL	183.00
CONOCO	1,257.19
HEARTLAND CHEVY	1,407.44
JOE KANTOLA	48.76

KRAMER HARDWARE	27.36
PETE LOPATA	17.20
NITV	250.00
ORSHELNS CARD CENTER	49.98
PLATTE CLAY ELECTRIC	203.87
PORTER'S SERVICE	831.02
* Police Station Debt	
KEARNEY TRUST COMPANY	7,524.01
* Police Station Expenses	
GLEN ROGERS CONSTRUCTION, LLC	15,881.40
WILLIAMS SPURGEON KUHL & FRESHNOCK	2,314.61
* Sewer Plant Expenses	
ALLIED WASTE SERVICES	115.25
BROADVIEW SECURITY	31.95
CENTRAL POWER SYSTEMS & SERVICE	436.18
FTC EQUIPMENT, LLC	2,025.00
HOUSEWORTH ENTERPRISES	172.50
K.C. WINWATER WORKS, CO.	387.00
KRAMER HARDWARE	49.46
MIDWEST LABORATORIES INC	489.85
ORSHELNS CARD CENTER	193.11
PLATTE CLAY ELECTRIC	7,453.27
CHRIS SHIPLEY EXCAVATING	937.50
WESTERN FIRST AID & SAFETY	274.00
YATES ELECTRIC CO.	189.00
* Solid Waste	
DEFFENBAUGH INDUSTRIES	22,301.50
* Street Department Expense	
CARTER WATERS	88.50
CINTAS CORPORATION #690	56.80
CITY OF KEARNEY-PETY CSH	25.00
CONOCO	737.20
DEAN MACHINERY CO	147.04
DEFFENBAUGH DISPOSAL	2,100.00
HOUSEWORTH ENTERPRISES	133.50
KRAMER HARDWARE	23.47
ORSHELNS CARD CENTER	42.99
PLATTE CLAY ELECTRIC	349.64
PORTER'S SERVICE	1,161.87
RUTH INDUSTRIES	185.53
* W & S Admin. Expenses	
CINTAS CORPORATION #690	72.64
CITY OF KEARNEY-PETY CSH	25.00
CONOCO	692.40
MO DNR-DMS RECEIPT &	342.33
ORSHELNS CARD CENTER	60.45
PORTER'S SERVICE	92.13
* W & S Oblig. Expenses	
UMB BANK	3,664.60
* W&S Revenue Balance Acct	
BLUE CROSS BLUE SHIELD OF KC	2,976.47
DELTA DENTAL OF MISSOURI	281.05
ING FINANCIAL ADVISERS,LLC	160.00
MISSOURI LAGERS	3,241.98
PAYCOR PAYROLL SERVICES	4,418.66
VISION SERVICE PLAN (IC)	86.42

*** Water Plant Expenses**

AMERICAN PLUS INC	75.77
BROADVIEW SECURITY	63.90
CENTRAL POWER SYSTEMS & SERVICE	216.00
CINTAS CORPORATION #690	11.00
HACH CHEMICAL	1,764.44
169 HAJOCA OLATHE	7,256.11
HOUSEWORTH ENTERPRISES	330.50
JPW ASSOCIATES, INC.	295.00
KANSAS CITY WINNELSON	504.00
KRAMER HARDWARE	286.21
MISSISSIPPI LIME CO	4,725.00
ORSHELNS CARD CENTER	234.40
PLATTE CLAY ELECTRIC	1,439.27
PORTER'S BUILDING CENTER	230.78
USA BLUE BOOK	224.92
WESTERN FIRST AID & SAFETY	24.01

TOTAL	189,270.58

APPROVED: _____
Billy R. Dane, Mayor

ATTEST: _____
Joan H. Updike, City Clerk