

**January 17, 2023**

The Board of Aldermen, City of Kearney, Missouri, met in regular session at City Hall, 100 East Washington, and thru the Zoom meeting app, January 17, 2023 at 6:30 P.M. with Mayor Pogue presiding. Members present were Kathy Barger, David Lehman, Dan Holt and Gerri Spencer. Staff members present were Shirley Zimmerman, Eric Marshall, Donnie Smith, David Pavlich and Sheila Ernzen. Ryan Marcotte attended by zoom.

**PLEDGE OF ALLEGIANCE** Mayor Pogue opened the meeting with the Pledge of Allegiance.

**CONSENT AGENDA** The following items were submitted for the Board of Aldermen to approve:

➤ C-A Minutes for the January 3, 2023 Board meeting

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

### **ORDINANCES**

**CREATING ARTICLE IV OF CHAPTER 100 TO ESTABLISH RULES FOR CREATION OF COMMITTEES AND COMMISSIONS** Bill No. 02-2023, an **ORDINANCE NO 1511-2023** ordinance of the City of Kearney, Missouri creating Article IV of Chapter 100 of the City's Code of Ordinances for the purpose of establishing rules for the creation of Advisory Committees and Commissions, was presented and read by Title only.

Alderman Holt asked if we didn't already have this. Mayor Pogue said they couldn't find anything anywhere that covered this.

A motion was made by Alderman Lehman and seconded by Alderman Spencer to approve the ordinance as read on the first reading. Voting for the motion: Lehman, Holt, Spencer and Barger. Motion carried by a four to zero vote.

A motion was made by Alderman Barger and seconded by Alderman Holt to place **Bill No. 02-2023** 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: Barger, Holt, Spencer and Lehman. The motion carried by a four to zero vote. The Bill was then duly numbered **Ordinance No. 1511-2023**.

**AMENDING CITY'S ZONING REGULATIONS REGARDING MARIJUANA** **ORDINANCE NO. 1512-2023** Bill No. 03-2023, an ordinance of the City of Kearney amending the City's Zoning Regulations regarding marijuana, was presented and read by Title only.

David Pavlich said the original ordinance only covered medical marijuana and now this one will cover recreational marijuana.

**AMENDING CITY'S ZONING REGULATIONS REGARDING MARIJUANA  
ORDINANCE NO. 1512-2023**

A motion was made by Alderman Spencer and seconded by Alderman Barger to approve the ordinance as read on the first reading. Voting for the motion: Lehman, Holt, Spencer and Barger. Motion carried by a four to zero vote.

A motion was made by Alderman Lehman and seconded by Alderman Holt to place **Bill No. 03-2023** 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: Barger, Holt, Spencer and Lehman. The motion carried by a four to zero vote. The Bill was then duly numbered **Ordinance No. 1512-2023**.

**MAYOR'S COMMUNICATIONS**

**FY2024 BUDGET WORK SESSION MEETING** Mayor Pogue said he wanted to have a special meeting, February 18<sup>th</sup> at 10 AM for a workshop on the budget. He said the City Administrator will post the meeting. He said the draft budget will be presented at the meeting before the work session.

**CITY ADMINISTRATOR**

**NEXT REGULAR MEETING DATE** Sheila Ernzen, Interim City Administrator said the next regular meeting will be Monday, February 6, 2023 at 6:30 P.M.

**FILTER FACING PROJECT AT WATER PLANT** Donnie Smith, Utilities/Streets Director, said the filter facing project at the water plant is still on hold. They can't find anyone that has the valve. Rand Construction has looked all over for parts. They were told it would still be 16 to 20 weeks from November before they would have the parts.

Alderman Lehman asked what other people use. Donnie Smith said a lot of people have gone to electronic.

Alderman Spencer asked if this valve could be rebuilt. Donnie Smith said it is past doing that now. He said they are made to order and that is the problem.

Mayor Pogue said maybe we should look and see what the cost would be to switch to electronic.

**EXECUTIVE SESSION** At 6:40 PM a motion was made by Alderman Holt and seconded by Alderman Lehman to go into Closed Session per RSMO 610.021(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor, and 610.021(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. The motion carried by a four to zero vote.

The meeting reconvened at 8:15 P.M.

**APPOINTMENT OF CITY ADMINISTRATOR** Mayor Pogue said he wanted to announce that the Board of Aldermen voted to hire Sheila Ernzen as the City Administrator as long as she accepted the contract presented.

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

Approved: Randy Pogue Attest: Sheila Ernzen  
Randy Pogue, Mayor Sheila Ernzen, City Clerk