

Council Chambers
City Hall
February 20, 2007
7:30 P.M.

Council met in regular session with Mayor Don Reed, presiding and roll call showing Councilmembers: Donald Button, Jack Wallace, Sheila Backstrom, Justin Begnoche, Lanny Crawford, Sharon Brown, Jonathan Coberly and Charles Smith present.

Copies of the minutes of the previous meeting were presented and approved by the Council. Copies of the previous Public Utilities Commission meeting were presented.

Appropriation Ordinances Nos. 3165 and 3166, allowing claims, which had been checked by the Council, were presented. Moved by Councilmember Wallace, seconded by Councilmember Brown, that these ordinances be approved for payment. Upon being put to a vote by roll call this motion carried by a unanimous vote of all Councilmembers present.

City Clerk, Calvin Wohler, presented information concerning membership dues to North Central Regional Planning Commission. North Central Regional Planning Commission does have membership from cities as well as counties. Moved by Councilmember Button, seconded by Councilmember Smith, to pay the 2007 membership to NCRPC of \$500.00. The motion carried unanimously.

City Attorney, Michael Ryan, gave a report to the Council on several items.

Rhonda Montgomery, State National Flood Insurance Program Coordinator, met with some city officials on February 15, 2007. Ms. Montgomery gave a report on the City's flood plain map and the FEMA regulations to build in a flood plain. There is a procedure to follow if a building permit is requested in a flood plain area. More information will be sent to the City in the future.

Mr. Ryan presented two different resolutions concerning putting a sales tax question on the ballot, April 3, 2007 during the general election. A resolution must be approved at this meeting to get on the ballot in time. The proposed resolutions are for either a ¼% or ½% sales tax. Action will be taken during the Ways and Means Committee report.

Mr. Ryan would like to hold an Executive meeting near the end of the Council meeting. The meeting will be deemed attorney/client information in regard to the Center Heights development project.

Committee reports were as follows:

Ways and Means-Committee met to discuss the possibility of offering a Plain 457, as deferred compensation plan, to all city employees. Moved by Councilmember Button, seconded by Councilmember Wallace, that the City adopt a 457 Deferred Compensation Plan for city employees. The plan shall be picked by a committee of three city and three public utilities employees. The committee shall meet and interview with prospective presenters and their plans. The committee shall make a recommendation to the City Council for their approval. The motion carried unanimously.

A discussion was held to decide if the City should vote on a sales tax proposal on the April 3, 2007 general election. The main topic of discussion was the rate of sales tax to put on the ballot. A ¼% sales tax would raise approximately \$150,000.00 per year and a ½% sales tax would raise approximately \$300,000.00 per year. A sun set provision can also be added to the tax question. To pass a resolution to put the sales tax on the ballot the Council must have a unanimous vote. The money raised would be used for street and road improvements.

Resolution No. 1416, entitled "A RESOLUTION TO SUBMIT TO THE QUALIFIED ELECTORS OF THE CITY OF CLAY CENTER, KANSAS, THE PROPOSITION OF LEVYING A ONE HALF PERCENT (.5%) RETAILERS' SALES TAX IN THE CITY OF CLAY CENTER, FOR THE PURPOSE OF STREET IMPROVEMENT.", was read and considered by sections. The Resolution can be adopted with either a ¼% or a ½% sales tax. The termination of the Resolution can be established at this time if the council wishes.

Moved by Councilmember Wallace, seconded by Councilmember Crawford, to adopt Resolution No. 1416 for a ½% sales tax to terminate September 30, 2012 and will take effect the 1st day of October 2007 if passed by the voters on the April 3, 2007 general election. The motion failed 6-2. Councilmembers Begnoche and Brown voted “nay”.

Moved by Councilmember Begnoche, seconded by Councilmember Brown, to adopt Resolution No. 1416 for a ¼% sales tax to terminate September 30, 2017 and will take effect the 1st day of October 2007 if passed by the voter on the April 3, 2007 general election. The motion failed 6-2. Councilmembers Crawford and Smith voted “nay”.

There was discussion on what to do next because the general consensus was to put something on the April 3rd ballot.

Moved by Councilmember Brown, seconded by Councilmember Wallace, to adopt Resolution No. 1416 for a ½% sales tax to terminate September 30, 2012 and will take effect the 1st day of October 2007 if passed by the voters on the April 3, 2007 general election. The motion carried unanimously.

Fire Department-Fire Chief, Jon Siemers, is trying to find a suitable pickup to replace his car.

Streets and Alleys-East bound stop signs on 9th Street between Crawford Street and Prospect Street was discussed again. A handicapped parking stall near the Leisure Center is still being considered.

City Property-City has been offered some land to purchase to the west side of the Cemetery. The party that owns the land has approximately eight acres they would like to sell at this time. Committee has discussed the purchase but decided the ten thousand dollars or more per acre is too much for the City. City would like to purchase this ground but at a lower cost.

City Tree Board met with Jay Bohnenblust, CCCHS Agriculture Instructor, to make plans to plant a windbreak at the north end of the City's Industrial Park. The CCCHS Agriculture class would plant the trees. Otto Straub, Parks Superintendent, would haul water to the trees to get them started. The trees are being purchased by the Ag Class from the Kansas Forestry Service.

Cemetery-Cemetery will be purchasing some rock for deteriorating roads.

Lights, Water, and Sewer-The installation of a city sewer main in the southeast portion of the City has begun.

Building Permits-Moved by Councilmember Begnoche, seconded by Councilmember Wallace, to approve a building permit for Charles Smith for a 10' x 14' metal shed at 204 Crawford Street. The motion carried 7-0-1. Councilmember Smith abstained.

Police Department-Moved by Councilmember Button, seconded by Councilmember Wallace, to purchase a 2007 Chevrolet Impala police car from the Kansas Highway Patrol Partners Program at a cost of \$17,028.60. The motion carried unanimously.

Moved by Councilmember Begnoche, seconded by Councilmember Button, to go into a twenty minute Executive Session to discuss matter deemed Attorney/Client privilege. Those present would be City Attorney, Mayor, City Clerk, and Councilmembers. The motion carried unanimously. The Council went into Executive Session for twenty minutes.

The Council reconvened after twenty minutes.

The clean up of the McNee property at 807 1st Street was discussed. Public Officer, Jon Siemers, will make a visit with them when the weather warms up.

Moved by Councilmember Wallace, seconded by Councilmember Brown, to adjourn the meeting. The motion carried unanimously. The meeting was adjourned.

Calvin Wohler
City Clerk