

Council Chambers
City Hall
February 6, 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 minutes of the previous Public Utilities Commission meeting were presented.

Appropriation Ordinances Nos. 3162, 3163 and 3164, allowing claims, which had been checked by the Council, were presented. Moved by Councilmember Begnoche, 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 Attorney, Michael Ryan, presented several items for action and/or for information.

Resolution No. 1415, entitled "A RESOLUTION REGARDING THE CONTINUATION OF A SCHEDULED HEARING ON THE CONDITION OF THE PROPERTY LOCATED AT 1003 2ND STREET, CLAY CENTER, KANSAS, AND DESCRIBED HEREIN, IN THE CITY OF CLAY CENTER, CLAY COUNTY, KANSAS, AND HEARING EVIDENCE REGARDING THE CLEAN UP AND REPAIR OF SAID PROPERTY AND CONTINUING SUCH HEARING UNTIL JUNE 19, 2007, AT 7:30 P.M.", was read and considered by sections. Moved by Councilmember Button, seconded by Councilmember Brown, to adopt Resolution No. 1415 as presented. The motion carried 7-1. Councilmember Smith voted "nay".

Ordinance No. 2196, entitled "AN ORDINANCE RELATING TO ZONING IN THE CITY OF CLAY CENTER, KANSAS, RE-ZONING LOTS ONE AND TWO IN BLOCK SIXTY-ONE OF THE ORIGINAL TOWNSITE OF THE CITY OF CLAY CENTER, KANSAS, TO ZONE 1, THE BUSINESS ZONE, AS DEFINED BY SECTION 16-201 OF THE CITY CODE OF THE CITY OF CLAY CENTER, KANSAS.", was read and considered by sections. Moved by Councilmember Brown, seconded by Councilmember Crawford, to adopt Ordinance No. 2196 as presented. The motion carried unanimously. Councilmembers Button, Wallace, Backstrom, Begnoche, Crawford, Brown, Coberly and Smith voting "yea" and no councilmember voting "nay".

Mr. Ryan reported that the Planning Commission met on January 29, 2007 at 4:30 p.m. to review and/or make recommended changes for several pieces of property.

Moved by Councilmember Button, seconded by Councilmember Smith, to approve the Planning Commission's recommendation to have a Public Hearing to rezone property at 1135 Harriet, owned by Deb Snyder, from business to residential. The Public Hearing will be held on March 6, 2007 at 7:30 p.m. The motion carried unanimously.

Moved by Councilmember Button, seconded by Councilmember Smith, to approve the Planning Commission's recommendation to vacate an alley in the Ryan's Third Addition between lots 32 and 52 but retain a 20' permanent utility easement in the same location. Request to change was made by Michael W. Ryan, Trustee of the Wayne W. Ryan Revocable Trust. The motion carried unanimously.

Moved by Councilmember Smith, seconded by Councilmember Brown, to approve the Planning Commission's recommendation to vacate a utility easement between lots 39 and 40 and approximately the middle of lot 36 in Ryan's Third Addition and accept a new utility easement on the west 20' of lot 39. Request to changes was

made by Michael W. Ryan, Trustee of the Wayne W. Ryan Revocable Trust. The motion carried unanimously.

Moved by Councilmember Brown, seconded by Councilmember Crawford, to approve the Planning Commission's recommendation to accept the final plat of Center Heights Development project including Block One. There will be a determination later in regard to the need of a common drainage area for inside of Block One before any replatting is done. The motion carried unanimously.

Moved by Councilmember Smith, seconded by Councilmember Begnoche, to approve an easement agreement with Oneok, Inc., an Oklahoma Corporation d/b/a Kansas Gas Service company, the right to construct, reconstruct, install, renew, operate and maintain a cathodic protection system in Reed Park of Clay Center. The motion carried unanimously.

Mr. Ryan reported he is looking into the employee policy handbook to determine if the holiday, Martin Luther King Day, be added to the current list of holidays now taken.

Mr. Ryan announced that the Lonna Sue Hunter property at 736 Clay Street sold at an auction for \$750.00.

Dennis Campbell, representing Camco Realty, appeared before the Council to discuss a problem with a house at 330 Garfield. He does not believe the entire lot at this address should be in the flood plain. There was a lengthy discussion about the flood plain map that was prepared by FEMA in 1986. An inquiry was made to construct a garage on this property but it was determined at this time it could not be built. Moved by Councilmember Begnoche, seconded by Councilmember Brown, to instruct the City Attorney to look into the laws of building in a flood plain. The motion carried unanimously.

Committee reports were as follows:

Ways and Means-Moved by Councilmember Button, seconded by Councilmember Wallace, to pay dues to North Central Regional Planning Commission in the amount of \$500.00 if we are not included in the dues that the county pays. The motion carried unanimously.

Streets and Alleys-Committee has decided to lease a skid steer loader instead of purchasing one out right. Two proposals were reviewed. Moved by Councilmember Crawford, seconded by Councilmember Button, to lease a New Holland Skid steer loader from KanEquip Inc. for one year at a cost of \$2,500.00. The motion carried unanimously.

Committee has received a request to install more stop signs on all streets east bound to 9th Street from Blunt Street to Prospect Street. The request will be reviewed before any action is taken.

Committee has received a request for a handicap parking stall be placed in front of the Leisure Center at 803 5th Street. The request will be studied in more detail later.

Committee Chairman, Lanny Crawford, reminded the Council of several street projects that need funded. They are:

\$66,588.80 for West Highway #24 – milling and overlay.

\$205,000.00 for a new road in the Industrial Park.

An unknown amount for Center Heights improvements.

Council members asked Street Commissioner, Gary Wachsnicht, to get some estimates on what is needed now.

Lights, Water, and Sewer-The sewer lift station building at 7th and Maple needs to be replaced. A bid of \$2,160.00 has been received from Bloom Construction for a metal replacement building. Moved by

Councilmember Button, seconded by Councilmember Brown, to accept the bid from Bloom Construction to replace the above mentioned lift station building. The motion carried unanimously.

Building Permits-Moved by Councilmember Begnoche, seconded by Councilmember Smith, to approve the following permits:

Jerome and Jody Crimmins, Doug and Teresa Erickson for a 6952 sq. ft. building at 1045 Lincoln Avenue.

Jeff Jones d/b/a Wardcraft Homes Inc. for a 4500 sq. ft. shed at 614 Maple Street.

The motion carried unanimously.

Airport-City needs to approve a ten year Capitol Improvement Plan for FAA. A plan has been prepared by Bucher, Willis and Ratliff Corporation to present to FAA. Moved by Councilmember Smith, seconded by Councilmember Begnoche, to approve the ten year CIP plan as presented. The motion carried unanimously.

Police Department-Police would like to purchase a new police car soon. One of the old ones is out of commission. A new police car purchased through the State Highway Patrol Program will cost \$17,018.60. This will be on the agenda for the next council meeting.

Several items were discussed in general such as:

Picking up election filings in the City Hall.

The need for long range planning.

The Ways and Means Committee to study a 457 plan for city employees.

Does the City want to consider changing our City Charter Ordinance to eliminate primary elections?

The need for no gun emblems on city property.

There will be a Governing Body Institute sponsored by the League of Kansas Municipalities in Topeka, Kansas on May 4th and 5th, 2007.

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

Calvin Wohler
City Clerk