

Council Chambers

City Hall

May 1, 2007

7:30 P.M.

Council met in regular session with Mayor Sharon Brown presiding and roll call showing Councilmembers: Steve Fox, Justin Begnoche, Daton Hess, Butch Hess, Charles Smith, Connie Jordan and Jack Wallace 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.

Mayor Brown asked for nominations for Council President for the 2007-2008 year. Councilmember Begnoche nominated Councilmember Smith for President. Councilmember B. Hess seconded the nomination. Councilmember Wallace moved that the nominations cease. Councilmember Begnoche seconded. Councilmember Smith was elected President of the Council by a vote of 6-0-1. Councilmember Smith abstained.

Moved by Councilmember Smith, seconded by Councilmember B. Hess, to name the Clay Center Dispatch as the city’s official newspaper. The motion carried unanimously.

Moved by Councilmember Begnoche, seconded by Councilmember Smith to approve United Bank and Trust, Union State Bank, Citizens National Bank, and Clay County National Bank as depositories for the City. The motion carried unanimously.

Mayor Brown presented a list of appointments and re-appointments for the 2007-2008 year or longer as stated. The following is a list of the appointments and re-appointments.

2007 - 2008

APPOINTMENTS AND RE-APPOINTMENTS

Calvin Wohler	City Clerk
Michael W. Ryan	City
Counselor Dustin W. Mullin	City
Prosecutor Cheryl Blanken	Court
Service Officer R. Duane Hinkle	City Treasurer Bill Robinson
Jonathan Siemers	Chief of Police
Chief Gary Wachsnicht	Fire
Commissioner Otto C. Straub	Street
Superintendent Ned McMahan	Parks
Greenwood Cemetery Jerry W. Davies	Sexton
Carlson	Wastewater Superintendent Susan Penner
Penner	Municipal Judge Tim
	City Health Officer

APPOINTMENTS AND RE-APPOINTMENTS

3 Year Planning Commission

Preston Rook

Kurt Haberer

Dwight Ferguson (Unexpired Term of Chuck Stuart)

Re-appointment
Re-appointment
Appointment

4 Year Library Board

Jerry Callan

Joy Polson

Re-appointment
Re-appointment

4 Year Local Housing Board

Chris Schwenson

Re-appointment

2 Year Electrical Board

Kevin Griggs

Charles Smith

Re-appointment
Appointment

1 Year Plumbing Board

John Turner, Jr.

Charles Smith

Melvin Anderson

Gary Wachsnicht (Inspector)

Re-appointment
Appointment
Re-appointment
Re-appointment

2 Year Enterprise Zone

Charles Smith

Jack Wallace

James Hess

Re-appointment
Re-appointment
Appointment

1 Year Tree Board

Bobbi Patterson

--Chamber Director

Sheldon Bergstrom

--Chamber Beautification Director

Daton Hess

--Councilmember

Appointment

Re-appointment

Appointment

4 Year Public Recreation

Denise Charbonneau

Rex Carlson

Re-appointment
Re-appointment

3 Year Board of Housing Appeals

O.R. Morlong

Moved by Councilmember B. Hess, seconded by Councilmember Smith, to approve the entire list of appointments and re-appointments as presented. The motion carried unanimously.

Mayor Brown had also handed out the Council Committee assignments for the 2007-2008 year during the work session before the Council meeting. They were as follows:

2007-2008 COMMITTEES

- WAYS AND MEANS----- Begnoche, Wallace, D. Hess
- LAWS AND ORDINANCES----- B.Hess, Smith, Jordan
- FIRE DEPARTMENT----- Wallace, B.Hess, Begnoche
- STREETS AND ALLEYS----- Begnoche, Wallace, D.Hess
- CITY PARKS AND POOL----- Fox, D.Hess, Begnoche
- CITY PROPERTY----- Fox, Wallace, Jordan
- CEMETERY----- B. Hess, Begnoche,
- LIGHTS, WATER AND SEWER----- Smith, Fox, Wallace
- BUILDING PERMITS----- Jordan, B. Hess, Smith
- AIRPORT----- D.Hess, Jordan, Smith
- ZONING----- Smith, Fox, Jordan
- EMERGENCY PREPAREDNESS----- D. Hess, Fox,
- INSURANCE----- Wallace, Begnoche, Fox
- PUBLIC RECREATION ADVISORY----- Jordan, Smith, B. Hess

OTHER COMMITTEES

AD HOC COMMITTEE: TASK FORCE FOR THE PURPOSE OF STUDYING THE FEASIBILITY OF A CITY MANAGER FOR CLAY CENTER-- Wallace, B. Hess,

Cash balances for the month of April 2007 were presented. Expenditures with balance of the budget for the month of April were presented.

Appropriation Ordinance Nos. 3175 and 3176, allowing claims, which had been checked by the Council, were presented. Moved by Councilmember Wallace, seconded by Councilmember B. Hess, 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, read a "Thank You" note from the 2007 After Prom Committee. The Committee was thanking the City for their contribution to the After Prom Party.

City Attorney, Michael Ryan, presented two Proclamations for approval.

A Proclamation proclaiming "May as Older Americans Month" was presented for review. Mr. Ryan has reviewed the proclamation and recommends it to be adopted. Moved by Councilmember Wallace, seconded by Councilmember Jordan, to adopt the above mentioned proclamation as presented. The motion carried unanimously.

A Proclamation proclaiming "May as Mental Health Month" was presented for review. Mr. Ryan has reviewed the proclamation and recommends it to be adopted. Moved by Councilmember Wallace, seconded by Councilmember Jordan, to adopt the above mentioned proclamation as presented. The motion carried unanimously.

Mr. Ryan stated that he would like an executive session with the Council near the end of the meeting.

Josh Hanson, representing "Little Festival on the Prairie", appeared before the Council to ask permission to use Dexter Park and the Band Shell for a band concert on June 9, 2007. Moved by Councilmember Begnoche, seconded by Councilmember D. Hess to grant the request. The motion carried unanimously.

Kay Ostoff, representing Clay Center Carnegie Library, appeared before the Council. Ms. Ostoff handed out several sheets of information in regard to the operation of the library. The library board has hired a Consulting Architect to do a building assessment of the library. The library building is city owned so they are informing the City Council of this assessment study. The assessment is needed if grant applications are made in the future for building improvements. There may be some structural problems that need to be addressed.

Committee reports were as follows:

Streets and Alleys-Campbell and Johnson, PA., engineers for the West Highway #24 project this year, presented a memo regarding a maintenance bond. Maintenance Bonds were in the past a part of any KDOT project and paid accordingly by the State and City. KDOT no longer participates paying for any part of a Maintenance Bond. A Maintenance Bond is good for one year after the final acceptance of a project. It covers any work found defective or rejected by the City. The estimated cost of the bond is \$850.00 - \$1,000.00 for this project of \$266,000.00. Moved by Councilmember Begnoche, seconded by Councilmember Wallace, to spend up to \$1,000.00 for a Maintenance Bond for the Contractor that gets the bid for this project. The motion carried unanimously.

The purchase of the Wheel Loader approved at the last Council Meeting was discussed again. A \$13,000.00 down payment on the lease lowers the interest rate and makes the 60 month more attractive than the previous proposal. The 48 month lease would have a savings of \$7,508.47 during the lifetime of the lease. Moved by Councilmember Begnoche, seconded by Councilmember Jordan, to accept the new 48 month lease with the \$13,000.00 down payment. The motion carried 6-1. Councilmember B. Hess voted "nay".

City Property- Kurt Haberer, representing Economic Development Group, appeared before the Council to make a request for some property in the City's Industrial Park on Meadowlark Road. EDG would like to build a large "shell" building that would be attractive to a new business. A "shell" would consist of a building with just walls and a roof. There would not be any utilities or any type of floor in the building. EDG is planning a building of approximately 15,000 square feet. The building is proposed to be put on the west half of lots, 10, 11, 12 and 13 in the Industrial Park. At this time, EDG is asking the City to reserve these lots for them. Moved by Councilmember Begnoche, seconded by Councilmember Smith, to hold the west one-half of lots 10, 11, 12 and 13 to be used by EDG. The motion carried unanimously.

Lights, Water and Sewer- Two bids were opened today for a mill and overlay project on 9th Street. The work is required to repair where a new city sewer line was being installed for the 9th to 12th Street sewer project. Bids will be accepted or rejected after further study.

Building Permits- Moved by Councilmember Jordan, seconded by Councilmember Smith, to approve a building permit for Warren and Barbara Anderson for an 18' x 21' carport at 631 Garfield Street. The motion carried unanimously.

Emergency Preparedness- Fire Chief, Jon Siemers, appeared before the Council to inform them that a tornado siren at 12th and Crawford Streets is not working. Mr. Siemers stated that the four sirens in the City are getting old and parts are impossible to get. To replace all four sirens would cost around \$55,000.00. More study and research will be done.

Old Business- There will be a County landfill meeting on May 7th at 7:00 p.m. at the landfill to discuss a "free" week. The City will try to have Spring Clean-Up the same week.

A request from Vern Swanson to close Frederick Street from 5th Street east ½ block for a July 2nd celebration was reviewed again. Moved by Councilmember Wallace, seconded by Councilmember Begnoche, to grant the request from Mr. Swanson. The motion carried unanimously.

Mayor Brown opened the discussion of health insurance for her. Mayor Brown stated at the last Council Meeting she plans to work full time and would like to be on the City's group health insurance. A lengthy discussion about the concerns and amount the City should pay for this benefit followed. Moved by Councilmember Begnoche, seconded by Councilmember D. Hess to pay one-half of a single health insurance policy for the Mayor. The motion did not carry. Councilmembers Fox, B. Hess, Smith and Wallace voted "nay" and Councilmembers Begnoche, D. Hess and Jordan voted "yea".

Councilmember Butch Hess informed the Council that he ran for his position on the Council to not receive any pay. He would like the monies he would be entitled to be donated to a reward fund for persons giving information for the arrest and/or conviction of persons furnishing alcohol to minors.

The house on Second Street still needs attention.

New Business- There may be a Special Council Meeting on May 10, 2007 to interview prospective councilmembers from the Third Ward.

Moved by Councilmember B. Hess, seconded by Councilmember Smith, to go into an Executive Session for twenty minutes for a subject deemed attorney/client confidential information. The motion carried unanimously. The meeting went into an Executive Session.

The meeting reconvened after twenty minutes.

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