

Council Chambers
City Hall
June 19, 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, Rhys Baker, Butch Hess, Charles Smith, Connie Jordan and Jack Wallace present.

Mayor Brown asked for a moment of silence before starting the meeting in honor of Clay Center resident, David Wilkey. Mr. Wilkey and his family recently moved to Clay Center. Mr. Wilkey was a soldier at Ft. Riley and killed in duty while serving in Iraq.

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

Municipal Judge's receipts for the month of May 2007 were \$6,098.50.

Appropriation Ordinance Nos. 3181 and 3182, allowing claims, which had been checked by the Council were presented. Moved by Councilmember Begnoche, seconded by Councilmember Smith, that these ordinances be approved for payment. Upon being to a vote by roll call this motion carried by a unanimous vote of all Councilmembers present.

City Clerk, Calvin Wohler, read the following communication items:

A "Thank You" from the City of Washington for mutual aid the Public Utilities Commission provided after a recent storm.

A "Thank You" from the family of Police Chief, Bill Robinson, for a plant sent for the funeral of his Mother.

A "Thank You" from one of the organizers of the Bike Across Kansas (BAK) for the hospitality provided by the businesses of Clay Center.

An invitation was given to the Council to attend an awards program at the Clay Center Medical Center

on Friday, June 29th at 10:30 a.m.

City Attorney, Michael Ryan, held a continuing Public Hearing, from Resolution No. 1415 adopted February 6, 2007. The Resolution extended the condemnation proceedings of the house at 1003 2nd Street. The house has not been kept up as per the Resolution. Persons who may have an interest in the property would like to have another sixty day extension to bring this property up to code.

Resolution No. 1422, entitled "A RESOLUTION STATING THE CONDITION OF THE STRUCTURE(S) AND PROPERTY LOCATED AT 1003 2ND STREET, CLAY CENTER, KANSAS, AND DESCRIBED HEREIN, IN THE CITY OF CLAY CENTER, KANSAS, IS UNSAFE OR DANGEROUS AND DIRECTING THAT THE STRUCTURE(S) BE REPAIRED OR REMOVED AND SAID PREMISES MADE SAFE AND SECURE.", was read and considered by sections. Moved by Councilmember Smith, seconded by Councilmember Baker, to adopt Resolution No. 1422 as presented. The motion carried 5-3. Councilmembers Fox, D. Hess and B. Hess voted "nay".

Ordinance No. 2199, entitled "AN ORDINANCE AUTHORIZING THE EXECUTION OF A LOAN

AGREEMENT BETWEEN CLAY CENTER, KANSAS AND THE STATE OF KANSAS, ACTING BY AND THROUGH THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT FOR THE PURPOSE OF OBTAINING A LOAN FROM THE KANSAS PUBLIC WATER SUPPLY LOAN FUND FOR THE PURPOSE OF FINANCING A PUBLIC WATER SUPPLY PROJECT; ESTABLISHING A DEDICATED SOURCE OF REVENUE FOR REPAYMENT OF SUCH LOAN; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE LOAN AGREEMENT.”, was read and considered by sections. Moved by Councilmember Wallace, seconded by Councilmember Smith, to adopt Ordinance No. 2199 as presented. The motion carried unanimously. Councilmembers Fox, Begnoche, D. Hess, Baker, B. Hess, Smith, Jordan and Wallace voting “yea” and no councilmember voting “nay”.

Resolution No. 1421, entitled “A RESOLUTION AUTHORIZING IMPROVEMENTS OF THAT PART OF 8TH STREET, RUNNING BETWEEN LIBERTY AND FRANKLIN STREETS, IN THE CITY OF CLAY CENTER, KANSAS PURSUANT TO K.S.A. 12-6A04 Et Seq. AS AMENDED.”, was read and considered by sections. Moved by Councilmember Wallace, seconded by Councilmember Smith, to adopt Resolution No. 1421, as presented. The motion carried unanimously.

Bobbi Patterson, representing the Clay Center Area Chamber of Commerce, appeared before the Council. Ms. Patterson made a request for permission to hold a fireworks display the evening of July 3rd at the County Fairgrounds. The display will be handled by Chris Bloom of Aerial FX of Topeka, the same as last year. Moved by Councilmember Jordan, seconded by Councilmember Begnoche, to allow the Chamber of Commerce to hold their annual fireworks display as stated above. The motion carried 7-0-1. Councilmember Baker abstained.

Jerry Callan, representing the Clay Center Library Board, appeared before the Council making their request for the 2008 budget. They are asking for approximately 12% increase in funding from the City. Mayor Brown asked that they meet with the Ways and Means Committee.

City resident, Melvin Griggs, appeared before the Council to express his displeasure with the decision to build a water treatment facility. Mr. Griggs stated that the residents of the City should have had the opportunity to vote on the estimated 8 million dollar project. Mr. Griggs was informed to meet with the Lights, Water and Sewer committee.

Vernon McGee, a city property owner, appeared before the Council to express his displeasure of the City’s nuisance Ordinance No. 2190. Mr. McGee does not believe a land owner should have a “criminal record” for getting a ticket for having too tall of grass in his/her yard. Mr. McGee was informed to meet with the Laws and Ordinance Committee.

Committee reports were as follows:

Ways and Means-City may consider a General Obligation Bond for street repairs.

Fire Department-One of the fire trucks is broken down. A computer that regulates the operation of the transmission failed. It will be expensive to repair.

Street and Alleys-Committee is requesting that all trash be picked up street side and not in alleys. Mr. Wachsnicht, Street Commissioner stated this would save fuel and would be faster. Committee will wait for public comments.

A brief discussion was held regarding spraying for mosquitoes.

City Parks and Pool-Pool Department is getting low of chlorine. Moved by Councilmember Fox, seconded by Councilmember B. Hess, to purchase a new supply of chlorine at a cost of \$2,000.00. The motion carried unanimously.

Lights, Water and Sewer-The 12th Street sewer project is about 75% complete.

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

Rex and Mary Kaye Blackwood for a new house at 1613 2nd Street.

Michael and Connie Schultze for a new house at 2635 9th Street.

A permit was denied for Tom Skinner. The motion carried unanimously.

Old Business-A discussion was held regarding a bond for street improvements. Council believes a \$600,000.00 bond should be considered for repairs to streets. Moved by Councilmember Begnoche, seconded by Councilmember Smith, to proceed with an application for a \$600,000.00 General Obligation Bond. The motion carried unanimously.

Mayor Brown announced that she is planning a Council Orientation program on July 6th from 3 o'clock to five o'clock p.m.

Street Department has a pile of broken concrete and asphalt on their lot they would like to get rid of. Daton Hess owns some property that this material can be dumped on because of all the special state permits he has. The concrete and asphalt material can be taken to Mr. Hess' property, free whereas the county landfill charges us to dump it there. Moved by Councilmember Begnoche, seconded by Councilmember Fox, to allow the Street Department to haul our waste concrete and asphalt to Mr. Hess' land or anyone else who has the necessary permits within a reasonable distance. The motion carried 6-1-1. Councilmember Smith votes "nay" and Councilmember D. Hess abstaining.

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