

Council Chambers
City Hall
August 7, 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.

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.

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

Appropriation Ordinance Nos. 3187, 3188 and 3189, allowing claims, which had been checked by the Council, were presented. Moved by Councilmember Begnoche, 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 the following "Thank You's".

From the family of Spc. David Wilkey for thinking of them after he was killed in Iraq. Spc. David Wilkey and his wife had a home in Clay Center.

From the Rex Theatre for the donation they received so they could show a free movie to the Bike Across Kansas participants on June 13, 2007.

City Attorney, Michael Ryan, presented two Ordinances for adoption.

Ordinance No. 2202, entitled "AN ORDINANCE INCORPORATING BY REFERENCE THE 'UNIFORM PUBLIC OFFENSE CODE", 23RD EDITION, FOR THE PURPOSE OF REGULATING PUBLIC OFFENSES IN THE CITY OF CLAY CENTER, KANSAS, DELETING CERTAIN SECTIONS FROM SAID UNIFORM PUBLIC OFFENSE CODE; AMENDING SECTIONS 11-101 AND 11-102 OF THE CODE OF SAID CITY AND REPEALING SAID EXISTING SECTIONS AND REPEALING ORDINANCE NO. 2193.", was read and considered by sections. Moved by Councilmember Smith, seconded by Councilmember B. Hess, to adopt Ordinance No. 2202 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".

Ordinance No. 2203, entitled "AN ORDINANCE INCORPORATING BY REFERENCE THE 'STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES,' 35TH EDITION, WITH CERTAIN CHANGES, AMENDING SECTION 14-101 OF THE CODE OF THE CITY OF CLAY CENTER, KANSAS AND REPEALING SAID EXISTING SECTION AND REPEALING ORDINANCE #2192.", was read and considered by sections. Moved by Councilmember Wallace, seconded by Councilmember B. Hess, to adopt Ordinance No. 2203 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".

Mayor Brown informed the Council that Don Cooper, representing Commercial Group, Inc. was scheduled to be here but due to a phone conference call earlier they decided not to come tonight. Mr. Cooper has presented a Development Agreement for the City to consider adopting. Council did not want to vote on the latest agreement because of it just being received today. Joe Norton, bond attorney for the City, would like the City to appoint a negotiation committee made up of Mr. Norton, Mayor, two councilmembers and Mr. Cooper. Mr. Cooper has requested that Mr. Ryan not be part of the negotiation committee. Council will vote later on this issue.

Mayor Brown presented the name of Gary Griffiths to be re-appointed to a three year term on the Public Utilities Commission board. Moved by Councilmember Smith, seconded by Councilmember Begnoche, to approve the Mayor's appointment. The motion carried unanimously.

Committee reports were as follows:

Ways and Means-The 2008 budget was presented for review. Mr. Wohler briefly reviewed each fund with the Council. The 2008 mill levy will stay about the same as 2007. After review it was moved by Councilmember Begnoche, seconded by Councilmember D. Hess, to publish the proposed budget in the Dispatch and a public hearing be held at 7:30 p.m. on August 21, 2007. The motion carried unanimously.

Streets and Alleys-Committee met with Mike Foster, President of Twin Valley Telephone, to discuss the paving of Meadowlark Rd. and a portion of Sky Vue Drive into the Industrial Park. The City had received two bids for the paving but one bid was withdrawn after the bid opening. Committee feels the City should take bids again. Moved by Councilmember Begnoche, seconded by Councilmember D. Hess, to take bids again on the above mentioned road paving project. The motion carried 7-1. Councilmember B. Hess voted "nay".

Lights, Water and Sewer-WasteWater Superintendent, Jerry Davies, appeared before the Council to explain the current rules of taking brush and tree limbs at the burn site he operates. One of the reasons for not allowing commercial haulers to bring brush and limbs to the burn site is because it adds too much total volume to be burned. Council will study rule changes for the burn site operation or continue with current rules.

WasteWater Department would like to replace a skid steer loader they have had for several years. A bid of \$19,905.00 has been received from Bruna Equipment to trade in the old Gehl loader for a new one.

It was reported the Twelfth Street sewer project is nearly completed. All houses needing sewer lines to their house have now been hooked up.

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

Robert Dye for a 12' x 14' addition to house at 1311 13th Street.

Duane & Cathy Warkentin for a 12 ½' x 22' addition to house at 811 Crawford.

The motion carried unanimously.

Airport-Airport needs some cleaning up and runway lights repaired.

Airport manager, Mike Spicer, has asked the Committee to raise the monthly rental of airplanes from \$50.00 to \$75.00 per month. Moved by Councilmember D. Hess, seconded by Councilmember Smith, to raise the rent as requested. The motion carried.

Zoning-There has been some complaints about some property on West Lincoln being used for storage without proper zoning.

Public Recreation Advisory-The baseball diamond lease with USD #379 is still being worked on.

Police Advisory-Committee reported that the Dog Pound has not passed three inspections by the State Animal Health Department. A representative from the State was here last Friday, (August 3, 2007) and basically closed the Dog Pound and removed all dogs except one that was taken to a veterinary clinic for boarding. The City will be fined \$8,000.00 if an inspection fails in the next twelve months. The State will make unannounced inspections each month for the next year.

Animal Control Officer, Slim Graves, appeared before the Council to apologize for getting the City into trouble with the State. Mr. Graves explained some reasons why he was not doing as good a job as he should be. Mr. Graves informed the Council that he is resigning from his position immediately.

Committee needs to decide what to do about dog boarding contracts with the cities of Riley and Leonardville. Not many dogs are kept for these cities but for the next year at least we should not be taking outside dogs. Moved by

Councilmember Fox, seconded by Councilmember Baker, that the City terminate any agreement with other cities to board their dogs. The motion carried 6-1-1. Councilmember B. Hess voted "nay" and Councilmember Wallace abstained.

Police Chief Bill Robinson, appeared before the Council to inform the Council of a need for a new computer system. The County Sheriff's department is replacing their entire law enforcement computers which the City must also do to be compatible with them. A purchase price is approximately \$15,000.00 and over \$3,000.00 per year maintenance and subscription fees or a lease of \$5,662.00 per year for everything. Chief Robinson recommends the City approve the lease agreement because this is what the Sheriff's department is doing.

Resolution No. 1427, allowing the City to enter into an agreement with Information Technologies for three years with the first payment being \$5,163.70 and then \$5,662.00 per year for the next two years. Moved by Councilmember B. Hess, seconded by Councilmember Baker, to approve Resolution No. 1427 as presented. The motion carried unanimously.

Old Business-Moved by Councilmember Begnoche, seconded by Councilmember D. Hess, to have Mayor Brown appoint two councilmembers to be part of a negotiation committee. The committee would be made up of, the Mayor, two councilmembers, Joe Norton and whoever would be representing the Neighborhood Renaissance Foundation. The committee would be negotiating on an agreement for the Center Heights addition in Clay Center. The motion carried 6 – 2. Councilmembers B. Hess and Smith voting "nay".

Jim Lloyd appeared in front of the Council to thank them for installing stop signs on 15th Street.

Councilmember Wallace had concerns about the length of the meetings.

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