

Council Chambers

City Hall

September 4, 2007

7:30 P.M.

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

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.

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

Appropriation Ordinance Nos. 3192 and 3193, allowing claims, which had been checked by the Council, were presented. Moved by Councilmember Smith, seconded by Councilmember Begnoche, 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" card from Bob, Linda Stratton and family for a mum plant for them. Linda is secretary for the Mayor and City Clerk. Linda's father recently passed away.

City Attorney, Michael Ryan, presented several items for action and/or consideration.

**Resolution No. 1428**, entitled "RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS, SERIES 2007, OF THE CITY OF CLAY CENTER, KANSAS.", was read and considered by sections. Moved by Councilmember Wallace, seconded by Councilmember Jordan, to adopt Resolution No. 1428 as presented. The motion carried 4-2. Councilmembers B. Hess and Smith voted "nay".

Mr. Ryan presented a request from Stifel, Nicolaus & Co., Inc. asking the governing body permission to purchase the city's bond that is coming up for sale. The permission must be granted because Stifel, Nicolaus are the financial advisor of the city in regard to the bond issue being processed. Moved by Councilmember Wallace, seconded by Councilmember Begnoche, to allow Stifel, Nicolaus & Co. Inc. to purchase the city's bond issue if they want to. The motion carried 4-2. Councilmembers B. Hess and Smith voted "nay".

Mr. Ryan informed the Council that the condemned house at 1003 2<sup>nd</sup> Street is due for demolition. August 24, 2007 was the last deadline for the owners to demolish or repair to make it habitable, and neither has been accomplished. Roxanne Peters, 50% owner of the house, appeared before the Council to ask for an extension

to make the house habitable. The Council discussed at length if an extension should be given again. Moved by Councilmember Smith to have the house demolished. The motion died for lack of a second. Council discussed with Ms. Peters at length extending the time for making the house habitable or making measurable progress. Moved by Councilmember Begnoche, seconded by Councilmember B. Hess, that a 28 day extension be given to work on the house but they must allow an inspection by City Public Officers at the end of the 28 days. The items repaired shall include: inside of house must be gutted of all bad plaster and/or wallboard, windows replaced or repaired and a construction fence be placed at a distance away from the house. The motion carried 5-1. Councilmember Smith voted "nay".

Mr. Wohler presented two licenses for approval.

Moved by Councilmember Begnoche, seconded by Councilmember B. Hess, to approve a private club license for Kimberly Gregory d/b/a Scooters at 217 S. 6<sup>th</sup> Street. The motion carried unanimously.

Moved by Councilmember B. Hess, seconded by Councilmember Smith, to approve a Plumbing license for T & J Sheet Metal of Wakefield, Kansas. The motion carried unanimously.

Cathy Haney, director of the Clay County Museum, appeared before the Council asking for an annual donation. The City has been donating \$200.00 per year but would like it increased if possible. Moved by Councilmember Smith, seconded by Councilmember B. Hess, to contribute \$250.00 to the Republic Valley Pioneer Festival to be held October 20<sup>th</sup> and 21<sup>st</sup>, 2007 at Clay County Fair Grounds. The motion carried unanimously.

Committee reports were as follows:

**Ways and Means**-Monies from several sources have been earmarked to pay the \$110,650.00 for the paving on Meadowlark Road and Sky Vue Drive, near the Industrial Park. Moved by Councilmember Begnoche, seconded by Councilmember Wallace, to appropriate the necessary funds for the above mentioned project. The motion carried 4-2. Councilmembers B. Hess and Smith voted "nay".

**Streets and Alleys**-The City's 43 blocks of milling and overlay work is about 75% done.

Street Commissioner Gary Wachsicht, has announced his retirement effective September 25, 2007. Mr. Wachsicht was commended for his excellent service as Street Commissioner. Committee has prepared an ad to be placed in the newspapers and League magazine to take applications for the position.

Committee is planning a combination Open House and retirement party for Mr. Wachsicht.

**Lights, Water and Sewer**-WasteWater Superintendent, Jerry Davies, has been ill and will miss four to six weeks of work. Committee will meet with the Insurance Committee on September 12, 2007.

**Building Permits**-Moved by Councilmember Jordan, seconded by Councilmember B. Hess, to approve a 17' x 20' carport for Randy and Cathy Hafner at 520 5<sup>th</sup> Street. The motion carried unanimously.

A building permit application for Mike Smith for an addition to a garage at 725 Grant Avenue has been denied due to zoning issues. Permit will be presented to the Planning Commission.

**Emergency Preparedness**-The installation of the new tornado sirens will be done after the tornado season is over.

**Police Advisory**-Committee has met to interview for the Animal Control officer position. No one has been hired at this time.

Mayor Brown announced that the labels to mail out to all businesses and residents in regard to the nuisance ordinances are ready. Mayor Brown asked if they should be mailed now or wait until next spring. Moved by Councilmember B. Hess, seconded by Councilmember Begnoche, to mail the notices as soon as possible. The motion carried unanimously.

**Old Business**-The property at 301 W. Lincoln Avenue is nearly all cleaned up.

Discussion of status of house at 1003 2<sup>nd</sup> Street was brought up again. A question was raised if the thirty day extension was the right decision.

Councilmember Begnoche would like an answer to why the City Police cannot write tickets on certain sides of the perimeter streets of the City.

**New Business**-City has looked into having a web site. Moved by Councilmember Begnoche, seconded by Councilmember B. Hess, to take bids from Web Masters to develop a web site and not spend more than \$1,000.00. The motion carried unanimously.

Mayor Brown informed the Council that the Chamber of Commerce would like to give up the purchasing, care and installation of the flags in the City. Moved by Councilmember Begnoche, seconded by Councilmember Smith, that the City be responsible for the flags in the down town area of the City. The motion carried unanimously.

Mayor Brown informed the Council that it is time to plan another Youth Academy in October. Moved by Councilmember Begnoche, seconded by Councilmember D. Hess, to move forward with plans this fall and allow expenditures of \$200.00 for T-shirts and refreshments. The motion carried unanimously.

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