

Council Chambers  
City Hall  
January 15, 2008  
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 two previous meetings 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 December were \$2,874.00.

Appropriation Ordinance Nos. 3210 and 3211, allowing claims, which had been checked by the Council, were presented. Moved by Councilmember Wallace, seconded by Councilmember Baker, 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" from the family of Lester Fox for a plant sent by the City. Lester Fox is the father of Councilmember Steve Fox, who recently passed away.

City Attorney, Michael Ryan, presented a Proclamation for approval. The Proclamation proclaims Friday, February 1, 2008, as National Wear Red Day to recognize the need for more progress in women's heart health. Heart disease is the #1 killer of women in America. Moved by Councilmember Wallace, seconded by Councilmember Baker, to adopt the Proclamation as presented. The motion carried unanimously.

Mr. Ryan spoke to the Council about the open meetings regulations. Anytime three or more councilmembers call a meeting it is determined to be a public meeting of the Council. Mr. Ryan suggested that all meetings where there will be the possibility of three or more councilmembers in attendance that KCLY radio and The Dispatch be notified. City Clerk's office should be notified of such meetings so they can E-mail the news media.

Mr. Wohler presented a business plumbing license application for Mike's Plumbing of Manhattan, Kansas. The Plumbing Board has reviewed the application and recommends its approval. Moved by Councilmember Smith, seconded by Councilmember Wallace, to approve Mike's Plumbing application as presented. The motion carried unanimously.

Dallas Bergstrom, operator of Bergstrom's Greenhouses and Nursery, appeared before the Council. Mr. Bergstrom is concerned about transient merchants that come to town and rent a space to sell products that compete with local merchants. The transient merchants do not pay local property taxes, own any property in town nor live and trade here. Mr. Bergstrom expressed there should be some protection from this type of competition for local merchants. Bergstroms' have a business location in Abilene that has a transient merchant set up across the street from them during the season of selling plants. Mayor Brown asked the Laws and Ordinance Committee to study this issue.

Committee reports were as follows:

**Fire Department**-Committee has received one bid from a pick-up per their specs. The purchase of the pick-up will be presented at the next meeting.

**Streets and Alleys**-The Committee met with the Fire Department and Streets and Alleys Committee to write a burn site management procedure guideline. The written procedure was presented to the Council for approval. Moved by Councilmember Begnoche, seconded by Councilmember Wallace, to adopt the burn site procedure as presented. Discussion followed. Councilmember Smith reviewed the past several years of operation of the burn site stating it has never received a fine or a citation for not being operated properly. He feels a change is not needed in operation. Motion carried 7-1. Councilmember Smith voted "nay".

An agreement with Campbell and Johnson, PA will be presented at the next Council meeting. The agreement is for some street and curb work to be installed on Spellman Circle Drive.

**City Property**-The Library Board has requested that the City pay for a new furnace in the library. The Property Committee has reviewed the request and have agreed to the request. Moved by Councilmember Fox, seconded by Councilmember Smith, to pay \$3,918.43 to Debenham Inc. for a new furnace in the library. The motion carried unanimously.

**Cemetery**-Cemetery Department's computer has crashed and will need a new one.

**Lights, Water and Sewer**-The van at the WasteWater Plant that carries a lot of equipment is in need of repairs. The department has made a request from area car dealers for a replacement van. Bids for a different used van will be opened at the next meeting.

A discussion was held again about who is the operator of the burn site. Moved by Councilmember Smith, seconded by Councilmember B. Hess, to remove Jerry Davies name from the KDHE burn permit and add Greg Jensen in his place. Discussion followed about maybe Jon Siemers' name should be on the permit instead of Greg Jensen. After a lengthy discussion Councilmember Smith withdrew his motion and Councilmember B. Hess withdrew his second. Mayor asked to contact KDHE regarding proper procedure to follow if change is desired and report back to Council.

**Building Permits**-Moved by Councilmember Jordan, seconded by Councilmember B. Hess to approve a building permit for Carl and Marilyn Long for an 18' x 21' carport at 313 9<sup>th</sup> Street. The motion carried unanimously.

**Emergency Preparedness**-There was a recent meeting to review procedures that had been taken during the recent ice storm. County is studying the possibility of having an assistant Emergency Preparedness person named in the future. Committee would like that person to be from the City.

**New Business**-Mayor informed the Council there will be a meeting with city officials and the Center Heights developers on January 22, 2008 at 1:00 p.m.

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