

Council Chambers
City Hall
May 6, 2008
7:30 P.M.

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

Cash balances for the month of April 2008 were presented. Expenditures with balance of the budget for the month of April 2008 were presented.

Municipal Judge's receipts for the month of April 2008 were \$3,963.00.

Appropriation Ordinances Nos. 3225 and 3226, allowing claims, which had been checked by the Council, were presented. Moved by Councilmember Wallace, seconded by Councilmember Smith, that these Ordinances be approved for payment except the late fee to the Public Utilities of over \$680.00 until a resolution of the charges can be resolved. The motion carried 7-0-1. Councilmember D. Hess abstained.

City Clerk, Calvin Wohler, read the following "Thank You's".

From the family of Dale McMahan, Ned McMahan's father, for a memorial flower for his service.

From 2008 After Prom Fund Raising Committee for the donation to the 2008 event.

City Attorney, Michael Ryan, presented several items for action/review.

Ordinance No. 2213, entitled "AN ORDINANCE ADOPTING A REVISED "UNIFORM PERSONNEL POLICIES AND GUIDELINES FOR THE CITY OF CLAY CENTER, 2008 EDITION"; AMENDING SECTIONS 1-401 OF THE CODE OF SAID CITY AND REPEALING SAID EXISTING SECTIONS.", was read and considered by sections. Moved by Councilmember Smith, seconded by Councilmember B. Hess, to adopt Ordinance No. 2213 as presented. The motion carried unanimously. Councilmembers D. Hess, Baker, Smith, B. Hess, Jordan, Wallace, Fox and Begnoche voted "yea" and no councilmembers voted "nay".

Resolution No. 1440, entitled "A RESOLUTION ENDORSING TRANSPORTATION IMPROVEMENTS FOR THE CITY OF CLAY CENTER, KANSAS, CONCERNING THE ENACTMENT BY THE KANSAS LEGISLATURE OF A NEW STATE-WIDE COMPREHENSIVE TRANSPORTATION PROGRAM.", was presented for review. The Resolution had asked for the capital improvements needed in the City – which KDOT may pay for. The City Viaduct is the only one currently in the resolution but Council agreed the update of Highway #24 from 10th Street to 13th Street should be added. This resolution will be presented again at the next meeting.

A Proclamation proclaiming May 9, 2008 as Child Care Provider Appreciation Day was presented for review. Moved by Councilmember Wallace, seconded by Councilmember Begnoche to adopt the above mentioned proclamation as presented. The motion carried unanimously.

Retail Liquor License for Delores Ouellette d/b/a Donley's Retail Liquor at 627 W. Crawford was presented for an annual renewal. Moved by Councilmember Smith, seconded by Councilmember B. Hess, to approve the Donley's Retail Liquor license. The motion carried unanimously.

John Kaul, Clay Center Housing Authority director, appeared before the Council. Mr. Kaul explained the need for the Council to show support for the Housing Authority's application for housing tax credits. Tax credits are used to help fund non-profits capital improvement projects. The Housing Authority have plans for a major remodel project in Apollo Towers.

Resolution No. 1441, was presented for review. The Resolution supports the Housing Authority's application to the Kansas Housing Resources Corporation for tax credit funding. Moved by Councilmember Wallace, seconded by

Councilmember D. Hess, to adopt Resolution No. 1441 as presented. The motion carried unanimously.

Committee reports were as follows:

Ways and Means-The funding request from EDG to be used toward a director's salary was discussed again. EDG would like to increase the City's share of funding from \$15,000.00 to \$25,000.00 per year. Moved by Councilmember Begnoche, seconded by Councilmember D. Hess, to increase the EDG funding as requested. The motion carried 5-3. Councilmembers Baker, Smith and B. Hess, voted "nay".

Streets and Alleys-The City does not have refuse employees at this time. One is on sick leave and the other no longer works for the City. City is having trouble hiring employees. The Committee will study the need for higher pay for refuse workers.

City Parks and Pool-Two bids were received for removing stumps for Parks and Cemetery Departments. Bloom Construction was \$3.50 per diameter inch and Tree Trimming and Removal for \$1.50 per inch or a \$20.00 minimum. Moved by Councilmember Fox, seconded by Councilmember Wallace, to accept the bid from Tree Trimming and Removal. The motion carried unanimously.

City Property-The committee had met to consider new franchise fee rates. Moved by Councilmember Fox, seconded by Councilmember Wallace, to charge AT&T, Twin Valley Communications and Eagle Communications a 3% franchise on all sales. This would include video cable, phone and internet by land lines and all the providers be on five year contracts as they are written or renewed. The motion carried unanimously.

Lights, Water and Sewer-WasteWater Superintendent, Jerry Davies, recently had a mild stroke. He is doing well and should be back to work in the near future.

Building Permits-Moved by Councilmember Jordan, seconded by Councilmember Wallace, to approve a permit for Mel Griggs for a 32' x 28' garage at 1715 5th Street. The motion carried unanimously.

Airport-There was a bid opening on April 17, 2008 for the overlay of the airport runway. Hall Brothers of Marysville, Kansas was the low bidder in the amount of \$705,883.36. There should be enough FAA funds (95%) to pay for the project this year.

Public Recreation Advisory-Councilmember Jordan and Mayor Brown attended a meeting at Ft. Riley regarding youth recreation programs in the region. Ft. Riley would like all surrounding cities to promote recreation for military families.

Committee is also considering working with the school district and other entities to form an area wide public recreation commission for the county. This would take a lot of study and would have to be taken to a vote of the citizens.

Ad Hoc Recycling Committee-A report was given in regard to the recent questionnaire sent to residents. Recommendation will be made in the future about how it may operate if put in place. The committee would like to seek some grant funding to help get the program started. Seventy-five percent of the residents who responded stated that one day a week trash service would be enough. Moved by Councilmember Jordan, seconded by Councilmember Baker, to move forward in search of grant funding.

Mayor's Report-Mayor Brown reported she had attended a County Commissioner meeting seeking some funding for playground equipment. The County Commissioners gave two, \$500.00 amounts for City Parks.

A request has been sent to KDHE for them to do a Brownfield study of the GT Building site.

Dues for North Central Regional Planning Commission was discussed. City is covered by the county dues. Council agreed to not pay additional amount themselves.

Old Business-A discussion was held in regard to having more building inspections of new buildings.

Moved by Councilmember D. Hess, seconded by Councilmember Begnoche, to go into a five minute executive session to discuss personnel issues with Mayor Brown and Mr. Ryan being in attendance. The motion carried 7-1. Councilmember B. Hess voted "nay". The meeting went into a five minute executive session.

The meeting reconvened after five minutes.

Mayor Brown announced that the thirty day protest period for the Center Heights development has passed. The County and School District had thirty days from April 1, to protest the development proposal.

New Business-Moved by Councilmember Wallace, seconded by Councilmember Begnoche, to name the Clay Center Dispatch as the official paper of legal notices. The motion carried 6-2. Councilmembers Smith and B. Hess voted "nay". Moved by Councilmember Wallace, seconded by Councilmember D. Hess, to approve Union State Bank, United Bank, Citizen's National Bank and Clay County National Bank as depositories for the City of Clay Center. The motion carried unanimously.

Mayor Brown presented a list of Appointments and Re-Appointments for the 2008-2009 year or longer as stated. The following is a list of the appointments and re-appointments.

2007 - 2008

APPOINTMENTS AND RE-APPOINTMENTS

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

APPOINTMENTS AND RE-APPOINTMENTS

3 Year Planning Commission

Michael Bulk	Appointment
Maury Catlin	Re-appointment
Dallas Bergstrom	Re-appointment

4 Year Library Board

Vicki Mall	Appointment
Nancy Ryan	Appointment

4 Year Local Housing Board

Ron Smith	Re-appointment
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2 Year Electrical Board

Steve Debenham	Re-appointment
Chuck Smith	Re-appointment

1 Year Plumbing Board

John Turner, Jr.	Re-appointment
Steve Fox	Appointment
Melvin Anderson	Re-appointment
Greg Jensen (Inspector)	Appointment

1 Year Tree Board

Bobbi Patterson	Re-appointment
--Chamber Director	
Sheldon Bergstrom	Re-appointment
--Chamber Beautification Director	
Daton Hess	Re-appointment
--Councilmember	

2 Year Tree Board

Shawn Stratton - 1 st Ward	Re-appointment
Cheri Birkbeck - 2 nd Ward	Appointment
Doug Erickson - 3 rd Ward	Re-appointment

Sharon Carlson - 4th Ward

Re-appointment

4 Year Public Recreation

Oran Erickson

Re-appointment

3 Year Board of Housing Appeals

Michael Holte

Re-appointment

Mayor Brown asked for nominations for President of the Council for the 2008-2009 year. Moved by Councilmember Smith, seconded by Councilmember B. Hess, to nominate Jack Wallace as President of the Council. Moved by Councilmember D. Hess, to nominate Justin Begnoche as President of the Council, motion died for lack of a second. Councilmember Jack Wallace was voted in as President of the Council, 7-0-1. Councilmember Wallace abstained.

Mayor Brown gave an update on Jerry Davies, James Marksman and Gary Hasbrook. They all have had health issues in the last few days.

Mayor Brown handed out the Council Committee assignments for the 2008-2009 year. They were as follows:

2008-2009 COMMITTEES

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

PUBLIC RECREATION ADVISORY----- Jordan, Baker, D. Hess

POLICE ADVISORY----- Smith, Baker, Jordan

OTHER COMMITTEES

RECYCLING COMMITTEE..... Jordan, Begnoche,
D.Hess

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