

Council Chambers
City Hall
August 19, 2008
7:30 P.M.

A Public Hearing was held to hear comments to the proposed published 2009 budget. The budget and notice of hearing was published in the Dispatch on August 8, 2008. Part of the 2009 budget included an estimated cost of \$80,000.00 for a City Administrator to be hired next year. This cost would be over a two mill increase in property taxes to fund. There were two people who spoke against the mill levy increase and one person who spoke in favor of the mill levy increase. The Public Hearing was then closed.

Council met in regular session with Mayor Sharon Brown presiding and roll call showing Councilmembers: Daton Hess, 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.

Appropriation Ordinances Nos. 3240 and 3241, allowing claims, which had been checked by the Council, were presented. Moved by Councilmember Wallace, seconded by Councilmember B. Hess, that these Ordinances be approved for payment. Upon being put to a vote by roll call the motion carried by a unanimous vote of all Councilmembers present.

City Clerk, Calvin Wohler, read the following "Thank You's". From the City of Chapman for responding to their time of disaster after a June 11, 2008 tornado destroyed a large portion of their town and from Chuck Smith for persons sending cards and making phone calls to him when his brother recently passed away.

Information was presented by Dustin Mullin during the work session at 7:00 p.m. It was about writing an Ordinance regulating the locations of Sexually Oriented Businesses in Clay Center. An Ordinance will be prepared for future adoption.

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

Ordinance No. 2216, entitled "AN ORDINANCE PROHIBITING THE USE OF COMPRESSION OR JAKE BRAKES WITHIN THE CITY LIMITS OF THE CITY OF CLAY CENTER, KANSAS; ADDING SECTION 14-224 TO CHAPTER 14 OF THE CITY CODE OF THE CITY OF CLAY CENTER, KANSAS.", was read and considered by sections. Moved by Councilmember Wallace, seconded by Councilmember Begnoche, to adopt Ordinance No. 2216, as presented. The motion carried unanimously. Councilmembers D. Hess, Smith, B. Hess, Jordan, Wallace, Fox and Begnoche voted "yea" and no Councilmembers voted "nay".

Ordinance No. 2217, entitled "AN ORDINANCE INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE", 24TH 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. 2202.", was read and considered by sections. Moved by Councilmember Wallace, seconded by Councilmember Smith, to adopt Ordinance No. 2217 as presented. The motion carried unanimously. Councilmembers D. Hess, Smith, B. Hess, Jordan, Wallace, Fox and Begnoche voted "yea" and no Councilmembers voted "nay".

Ordinance No. 2218, entitled "AN ORDINANCE INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," 36TH 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 NO. 2203.", was read and considered by sections. Moved by Councilmember Smith, seconded by Councilmember B. Hess, to adopt Ordinance No. 2218, as presented. The motion carried unanimously. Councilmembers D. Hess, Smith, B. Hess, Jordan, Wallace, Fox and Begnoche voted "yea" and no Councilmembers voted "nay".

Mr. Wohler presented a Cereal Malt Beverage license application for Jeff Young. Mr. Young is applying for a CMB license to sell cereal malt beverages in the Rex Theatre. Fire Chief, Jon Siemers, appeared before the Council stating that there needs to be improved fire protection in the Theatre before he would recommend a CMB license approval. Jeff Young had been asked to attend the Council to explain the improvements he planned to make in the Theatre, but he did not attend the Council meeting. Moved by Councilmember Begnoche, seconded by Councilmember B. Hess, to table the approval of this CMB license until a later date. The motion carried unanimously.

Committee reports were as follows:

Ways and Means-Moved by Councilmember Begnoche, seconded by Councilmember D. Hess, to adopt the 2009 budget as presented at the last meeting and the Public Hearing held earlier. Motion carried 5-2. Councilmembers Wallace and Fox voted "nay".

There was a lengthy discussion in regard to adding approximately \$80,000.00 to the 2009 budget to hire an Administrator.

Ordinance No. 2215, entitled "AN ORDINANCE ATTESTING TO THE POSSIBLE INCREASE IN TAXES LEVIED FOR BUDGET YEAR 2009 NECESSARY TO FINANCE PUBLIC SERVICES FOR THE CITY OF CLAY CENTER, KANSAS.", was read and considered by sections. Moved by Councilmember Begnoche, seconded by Councilmember D. Hess, to adopt Ordinance No. 2215 as presented. The motion carried unanimously. Councilmembers D. Hess, Smith, B. Hess, Jordan, Wallace, Fox and Begnoche voted "yea" and no Councilmember voted "nay".

A brief discussion was held in regard to information the City received from the Community Orchestra group. They would like the City to consider some support to them.

Fire Department-Chief Siemers appeared before the Council requesting that Fifth Street be closed from Grant Avenue south for ½ block on September 7, 2008 for a training session. Moved by Councilmember B. Hess, seconded by Councilmember Smith, to grant the above mentioned request. The motion carried unanimously.

Streets and Alleys-An update on several street projects was given.

City Parks and Pool-Clay Center Country Club has requested that tables and bleachers be hauled out to them for a tournament to be held on August 23 and 24, 2008. They will be charged \$500.00 for this service. Moved by Councilmember Begnoche, seconded by Councilmember B. Hess, to haul the tables and bleachers as requested above. The motion carried unanimously.

Bids were received from Francis Lawn Maintenance for spraying city parks (\$3,375.25) and ball fields (\$1,470.00) for weeds and dandelions. Moved by Councilmember Begnoche, seconded by Councilmember D. Hess, to approve the spraying bids from Francis Lawn Maintenance. The motion carried unanimously.

Committee receiving bids for a new snack shack to be built near the swimming pool. A bid for the plumbing portion has been received from Mel's Pump and Plumbing. Council would like a total cost of everything (etc. building) before approving.

Lights, Water and Sewer-Due to health, WasteWater Superintendent, Jerry Davies, submitted his resignation effective October 31, 2008. Mr. Davies has worked for the City, twenty-three years. Moved by Councilmember Fox, seconded by Councilmember Smith, to accept the resignation of Jerry Davies. The motion carried unanimously. Committee will begin a search for a WasteWater Superintendent.

Building Permits-Moved by Councilmember Jordan, seconded by Councilmember D. Hess, to approve a building permit for Brett Ohlde for a 28' x 36' building at 2105 7th Street. The motion carried unanimously.

Insurance-Insurance committee and other persons from Public Utilities, Housing Authority and City met to discuss the refund from Blue Cross and Blue Shield this year. A general consensus was for the refund to be kept in reserves and look into purchasing a better health policy for the employees. Moved by Councilmember Wallace, seconded by

Councilmember Jordan, to add this year's refund to the reserve account. The motion carried 6-0-1. Councilmember D. Hess abstained. Committee will review the Blue Cross and Blue Shield policy choices next renewal time.

Public Recreation Advisory-A sample resolution for review was given to councilmembers just for informational purposes. The resolution would create a new public recreation system between the City and Unified School District #379. The committee will continue to work on this issue.

Recycling Committee-Committee has found a truck they would like to purchase. The truck is a 2003 Isuzu flatbed with 83,944 miles. A bed could be built to fit the curbside recycling needs. The truck is in Houston, Texas. Someone could fly down to Houston and drive the truck home if Committee decides to purchase it. Moved by Councilmember Wallace, seconded by Councilmember Begnoche, to give the Committee permission for someone to go to Houston, purchase the truck and drive it home if it checks out. Motion carried 6-1. Councilmember B. Hess voted "nay".

Old Business-Mayor Brown asked the Council to approve that Don Button be reappointed to a three year term on the Public Utilities Commission Board. A discussion followed about having a Councilmember on the Public Utilities Commission Board. Moved by Councilmember Smith, seconded by Councilmember B. Hess, to approve the Mayor's appointment of Don Button to the Public Utilities Commission Board. The motion carried unanimously.

Moved by Councilmember Fox, seconded by Councilmember B. Hess, to have Public Utilities Superintendent, Bill Callaway, attend one Council Meeting a month.

Councilmember Begnoche stated the City needs an ordinance in regard to large lots in town. He recommends that a zero scape ordinance on lots of one acre or more be considered. This means that grass could be left unmowed on large lots but must be mowed around outside edges and not allowed to get weedy.

New Business-There has been a request from citizens to have bike racks somewhere downtown.

CCCHS Orange and Black Pack has requested permission to paint tiger paws on Ninth Street between Crawford Street and the High School. Permission will be contingent on a sealing project planned for Ninth Street.

Moved by Councilmember Begnoche, seconded by Councilmember D. Hess, to have Mayor Brown appoint three councilmembers to a committee to write a job description for a City Administrator. 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.