

Council Chambers
City Hall
August 5, 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 July 2008 were presented. Expenditures with balance of the budget for the month of July 2008 were presented.

Municipal Judge's receipts for the month of July were \$5,880.00.

Appropriation Ordinances Nos. 3237, 3238 and 3239, allowing claims, which had been checked by the Council, were presented. Moved by Councilmember Smith, 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 a "Thank You" note from the family of Lorraine Nelson. Lorraine recently passed away. She is the mother of volunteer fireman, Tom Nelson.

Dustin Mullin, substituting for City Attorney, Michael Ryan, presented an Ordinance for approval and two items to review.

Ordinance No. 2214, entitled "AN ORDINANCE GRANTING A CITY FRANCHISE TO TWIN VALLEY COMMUNICATIONS, INC., OF MILTONVALE, KANSAS, FOR THE RIGHT TO ERECT, MAINTAIN AND OPERATE IN, UNDER, ALONG, ACROSS AND UPON THE STREETS, AVENUES, SIDEWALKS, ALLEYS, BRIDGES AND HIGHWAYS AND OTHER PUBLIC PLACES IN THE CITY OF CLAY CENTER, KANSAS, AND SUBSEQUENT ADDITIONS THERETO, FOR THE PURPOSE OF TRANSMISSION AND DISTRIBUTION BY WIRE OR CABLE OR VOICE COMMUNICATIONS, INFORMATION, ENTERTAINMENT AND OTHER SIGNALS TO ENABLE THE SALE OF ITS SERVICE TO THE INHABITANTS OF SAID CITY, AND ENVIRONS THEREOF AND OTHER PURPOSES, FOR A TERM OF FIVE YEARS, SUBJECT TO RENEWAL, AND REGULATING THE SAME; AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.", was read and considered by sections. Moved by Councilmember Smith, seconded by Councilmember D. Hess, to adopt Ordinance No. 2214, 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".

Mr. Mullin discussed the house at 616 McBrathney. The owners of the house have agreed to give the house to the City by signing a Quit Claim Deed to the City. Once the house is in the City's control and taxes are paid the house can be demolished and property sold. Moved by Councilmember Wallace, seconded by Councilmember Begnoche, to accept the property at 616 McBrathney and pay the current taxes owed in the amount of \$371.18. The motion carried unanimously.

City Attorney and Laws and Ordinance Committee are in the process of writing a Sexually Oriented Business code for the City.

Committee reports were as follows:

Ways and Means-During the work session at 7:00 p.m., Woods and Durham Chartered gave a report on their examination for the 2007 audit. Jayson Hood, representing Woods and Durham, gave an audit report to each Councilmember. Mr. Hood gave a brief report of the audit and reviewed a management letter with the Council. Some issues discussed were the same type of problems as in the past due to the limited number of office staff.

Moved by Councilmember Begnoche, seconded by Councilmember Smith, to approve the 2007 Audit as presented by Woods and Durham. The motion carried unanimously.

Councilmember Begnoche presented the 2009 Budget for review. The 2009 budget has a little over two mill increase to allow for the hiring of a City Administrator. A discussion followed in regard to adding expenses to the City when fuel costs may be a real problem. Moved by Councilmember Begnoche, seconded by Councilmember B. Hess, to publish the proposed 2009 Budget and hold a Public Hearing at 7:30 p.m. on August 19, 2008. The motion carried 7-1. Councilmember Wallace voted "nay".

Laws and Ordinances-City Police Department and Committee have discussed prohibiting the use of compression brakes by trucks in the city limits. Many trucks are very loud when compression brakes are used. Many cities have ordinances against the use of compression brakes. Moved by Councilmember Smith, seconded by Councilmember B. Hess, to have the City Attorney write an Ordinance to prohibit the use of compression brakes in the City. The motion carried unanimously.

Streets and Alleys-There was a brief discussion of residents building or placing a fence on utility easements.

City Property-Committee joined a group of people to examine the GT building for a KDHE program for removal, if possible. This was a Phase I Environmental Inspection.

Airport-The airport runway is open and the final markings will be installed in three weeks.

Emergency Preparedness-Committee explained the problems with the tornado sirens that were purchased last year. The electrical control boxes were not made by the same Company as the sirens; therefore there have been many problems in the operation of the sirens. A bid has been received to replace the four electrical control boxes with the correct make at a cost of \$7,025.17. Moved by Councilmember Wallace, seconded by Councilmember D. Hess, to replace the four tornado electrical control boxes as stated above. The motion carried unanimously.

Public Recreation Advisory-Committee met with the Public Recreation Commission on July 31, 2008 for a Public Hearing. The 2009 Budget was approved and presented to the City.

The two groups also discussed a fall soccer program. The Public Recreation Commission approved the expenditure of what they can to get a soccer program going. The ages for the soccer program will be four years old to the 6th grade. Fall sign up will begin soon.

Police Advisory Committee-Police Department has a need for three new UHF radios. This is a bid that allows a trade in value for the old radios for a net trade in difference of \$585.00. Moved by Councilmember Smith, seconded by Councilmember D. Hess, to purchase three new UHF radios at a cost difference of \$585.00. The motion carried unanimously.

Recycling Committee-In order to recycle the City will need a truck with some kind of box for a bed to put the recycle items in. Committee will try to find such a truck and get back to the Council what the cost would be.

Old Business-Police Department is trying to gather information in regard to what kind of small motorized vehicles (etc., golf carts) can be legally driven on city streets. More study and information is needed.

Mayor Brown urged anyone who can to attend a Covenant signing at Ft. Riley at 11:00 a.m. on August 20, 2008. The signing is for surrounding communities of Ft. Riley to show their support of the Fort.

Mayor Brown presented a change to the employee sick leave policy that has been recommended by a committee of several employees. The new policy gives a process whereby a city employee can loan another employee sick leave days after the receiving employee has run out of all leave. Moved by Councilmember Begnoche, seconded by Councilmember D. Hess, to approve the addition to the City's sick leave policy. The motion carried unanimously.

Moved by Councilmember Fox, seconded by Councilmember B. Hess, to go into an executive session for twenty minutes to discuss personnel issues and those asked to attend would be Mayor, City Attorney and City Clerk. The motion carried unanimously. The meeting went into an executive session.

The regular meeting reconvened after twenty minutes.

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