

Council Chambers  
City Hall  
February 17, 2009  
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 January 2009 were presented. Expenditures with balance of the budget for the month of January 2009 were presented.

Appropriation Ordinance Nos. 3265 and 3266, allowing claims which had been checked by the Council, were presented. Moved by Councilmember Jordan, seconded by Councilmember D. 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 Attorney, Michael Ryan, presented an Ordinance for adoption.

**Ordinance No. 2222**, entitled "AN ORDINANCE INCORPORATING BY REFERENCE THE "2008 NATIONAL ELECTRICAL CODE" FOR THE PURPOSE OF PROVIDING UNIFORM ELECTRICAL CONSTRUCTION STANDARDS IN THE CITY OF CLAY CENTER, KANSAS; AMENDING SECTION 4-402 OF THE CITY CODE OF THE CITY OF CLAY CENTER, KANSAS, REPEALING SAID EXISTING SECTIONS AND REPEALING ORDINANCE NO. 2182.", was read and considered by sections. Moved by Councilmember Smith, seconded by Councilmember B. Hess, to adopt Ordinance No. 2222, as presented. The motion carried unanimously. Councilmembers D. Hess, Baker, Smith, B. Hess, Jordan, Wallace, Fox and Begnoche voted "yea" and no councilmember voted "nay".

Stephanie Schwarm, representing Kingdom Promotions, appeared before the Council asking to hold a variety show in Dexter Park on April 18, 2009. The show will be called "The Hogs and Dogs Variety Show". The show will allow local persons to perform their talents in front of an audience. They will also serve hot dogs and pork meat for a meal thus the name of the show. Moved by Councilmember Smith, seconded by Councilmember Baker, to allow Kingdom Promotions to hold the requested variety show in Dexter Park on April 18, 2009. The motion carried unanimously.

**Ways and Means**-Committee met with Hutchinson/Mayrath President, Clifford Williams, to discuss the continuance of a tax abatement on machinery they purchased in 2004. The tax abatement is for ten years on \$685,000.00 worth of equipment. Moved by Councilmember Begnoche, seconded by Councilmember D. Hess, to allow the tax abatement to continue for another year. The motion carried unanimously.

**Streets and Alleys**-Committee has found a paint sprayer on-line cheaper than the bids they had received from area suppliers. City can purchase the paint sprayer direct from the manufacturer. Moved by Councilmember D. Hess, seconded by Councilmember B. Hess, to purchase a new paint sprayer system for \$4,899.00. The motion carried unanimously.

Committee wants to postpone buying a new trash truck right now. City does not feel we were allowed enough trade in value for the 2004 trash truck. Committee will try to sell old truck first and then order new truck.

Street Department employees working with a Contractor near the Deli Shop to replace curb and guttering on Harriet Street.

Department was considering getting rid of a Grasshopper mower but the WasteWater department has a need for a better mower. The mower may be transferred to the WasteWater department.

**City Property**-The old GT building has been inspected and determined to have some asbestos in it. The asbestos needs to be removed before any demolition can begin. Mayor Brown is in the process of taking bids from Companies that are certified to remove asbestos. Moved by Councilmember D. Hess, seconded by Councilmember Begnoche, to authorize

the Mayor to take the lowest of three bids for asbestos removal to get the process moving forward. The motion carried 7-1. Councilmember B. Hess voted "nay".

**Cemetery**-Committee passed out a new fee schedule for lots and services for the Cemetery. Council should review and adopt at a later date.

**Lights, Water and Sewer**-The last meeting of the plumbing board they voted to purchase and update the plumbing code to 2009 Uniform Plumbing Code when available. The 2009 Code books are now available. Moved by Councilmember Fox, seconded by Councilmember Smith, to purchase the 2009 UPC books for the City plumbing businesses and change city code when they have been received. The motion carried unanimously.

Councilmember Fox and WasteWater Superintendent Kent Hessling, traveled to Lyons, Kansas to visit their WasteWater Treatment Plant. They came away with some good ideas to use at our plant.

Committee is looking into purchasing some type of air testing instrument to be used in lift stations. Some lift stations are as much as 40 feet deep so the air at the bottom should be tested before entering.

**Building Permits**-Moved by Councilmember Baker, seconded by Councilmember Smith, to approve an application for Jon Cairns for a 24' x 30' garage at 714 12<sup>th</sup> Street. The motion carried unanimously.

**Police Advisory**-Police Chief, Bill Robinson, appeared before the Council to inform them about a Crime Stoppers training program. The program is for training of persons who work with Crime Stoppers. The training will be held in Wichita on April 26-28. Mr. Robinson asked the Council to allow him to go to the training sessions and the City to pay his lodging and meals. Moved by Councilmember Wallace, seconded by Councilmember B. Hess, to pay the expenses requested by Mr. Robinson. The motion carried unanimously.

Mr. Robinson reported the Police Department has received some equipment to improve their shooting range. The equipment was donated to the City from a National Guard Unit in Salina.

Clay Counts, a program to stop underage drinking, has received notice they have received grant funding. The grant monies will be received over several years to assist in combating underage drinking.

**Ad Hoc Recycling Committee**-It was reported that 12 ½ tons of recyclables were taken to the landfill in January.

**Old Business**-City will hold an auction for three parcels of land on April 14, 2009.

**Youth Council**-Council wants to move ahead with starting a program.

**Volunteers**-City must be very careful about allowing volunteers to use power equipment. Councilmember Baker will serve as coordinator of people who want to do volunteer work.

**Center Heights**-Mayor Brown reported that Don Cooper is no longer associated with Commercial Group.

**City Administrator**-Ads for the City Administrator position will be coming out in an Administrator magazine soon.

Councilmember B. Hess stated his concerns about hiring an Administrator at this time. Several persons have talked to Mr. Hess to not hire an Administrator.

Moved by Councilmember B. Hess, seconded by Councilmember Wallace, to put on hold the hiring of a City Administrator for now and review the hiring again in six months. Motion was tied 4-4. Councilmembers Smith, B. Hess, Wallace and Fox voted "yea" and Councilmembers D. Hess, Baker, Jordan and Begnoche voted "nay". Mayor Brown voted "yea" to break the tie.

**New Business**-Discussion followed about the Stimulus funding that will be sent out to all kinds of governmental entities to stimulate the economy. The idea is to create jobs and prop up the economy.

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