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Tuesday, October 4, 2016
5:30 p.m.

1. CALL TO ORDER

- A. Roll Call
- B. Pledge of Allegiance

2. MAYOR REPORT

- A. Lori Huber – EDG Updates
- B. Updates

3. CITY CLERK REPORT

- A. None

4. STAFF REPORTS/COMMUNICATIONS

- A. 9/19/2016 PU Meeting Minutes
- B. Appropriation Ordinances 2355 & 2356

5. CITY ATTORNEY REPORT

- A. Updates

6. CONSENT AGENDA

- A. 9/20/16 City Council Meeting Minutes
- B. Appropriation Ordinances 3647 & 3648

7. ORDINANCES

- A. Ordinance No. 2341 Providing for Revision to the Code Concerning Payment of Insurance Proceeds in the City of Clay Center
- B. Ordinance No. 2342 Providing for Revision to Governing Body Elections for the City of Clay Center, Kansas; Amending Section 6-103 of the City Code

8. RESOLUTIONS

- A. None

9. FORMAL ACTIONS

- A. None

COMMITTEE REPORTS

1. ADMINISTRATIVE

- A. Updates

2. PUBLIC SAFETY

- A. Updates

3. PUBLIC SERVICES

- A. Updates

4. PROPERTY & RECREATION

- A. Updates

5. ADJOURNMENT

DRAFT
CLAY CENTER CITY COUNCIL MEETING MINUTES
SEPTEMBER 20, 2016

The Clay Center City Council met in regular session on September 20, 2016 in the Council Chambers. Mayor Thatcher called the meeting to order at 5:30 p.m. City Council members in attendance were Betty Livengood, Robert Knitter, Dennis Ouellette, Glenn Hoover, Daton Hess, James Brown, and C L Snodgrass. Also present were City Attorney Dusty Mullin and City Clerk Kerry Rozman. Phil Kasper was absent.

Jeff Geyser, representing the Historical Society, was present to request a donation for the Republican Valley Pioneer Festival to be held on October 15 and 16. This is a major fund raiser for the Clay County Museum. A motion was made by Councilor Ouellette seconded by Councilor Knitter to approve a donation in the amount of \$350 out of the Special Parks & Recreation Fund. Motion carried 7-0.

Mayor Thatcher announced that there will be a fall clean-up this year starting on October 11.

The minutes from the Public Utilities Commission meeting on September 6, 2016 and Public Utilities Commission Appropriations Nos. 2353 and 2354 were presented for review. The August financial reports were also included for review.

The Consent Agenda consisted of the meeting minutes of September 6, 2016 and Appropriation Ordinances Nos. 3645 and 3646. A motion was made by Councilor Brown seconded by Councilor Hess to approve the Consent Agenda in its entirety. Roll call vote: Yeas: Livengood, Hess, Knitter, Brown, Ouellette, Hoover, and Snodgrass. Nays: None.

The Administrative Committee met last week to review the proposals for the fire truck financing. They are recommending the proposal from Clay County National Bank at a fixed rate of 3.16% for a period of approximately 13 years. The bank is reserving the right to adjust the rate as it gets closer to the time the monies are needed. A motion was made by Councilor Brown seconded by Councilor Hess to accept Clay County National Bank as the financial institution that will finance the new fire truck. Motion carried 7-0.

Chris Pedersen brought it to the attention of staff that the Hazard Communication Program portion of the Safety Manual used for each department needed updating. A motion was made by Councilor Ouellette seconded by Councilor Livengood to approve the newly updated Hazard Communication Program. Motion carried 7-0.

City Clerk, Kerry Rozman is asking the governing body to approve new upgrades for the payroll program. The enhancements will bring the capability to have a web based time and attendance system that will automatically post and download in the general ledger. The quote for the payroll upgrade is \$4,770.00. A motion was made by Councilor Ouellette seconded by Councilor Snodgrass to approve the payroll upgrade as stated. Motion carried 7-0.

Big Lakes Development Center has brought to our attention that the cleaning contract has not been renewed since 2008. They are currently receiving \$458.10 monthly and want to renew the contract at a rate of \$550.00 per month guaranteed until October 31, 2017. The contract will be reviewed annually and if either party wants to terminate the agreement, a written notice shall be sent 30 days prior to date of termination. A motion was made by Councilor Brown seconded by Councilor Ouellette to approve the contract with Big Lake Development Center as stated. Motion carried 7-0.

Committee Reports as follows:

Administrative: No report.

Public Safety: Councilor Snodgrass reported on the following: 1. Building permit for Dwight Ferguson for a wood framed screened-in porch located at 1318 Clarke Street.

Public Services: Councilor Brown reported on the following: 1. The committee met prior to the council meeting to discuss the potential purchase of a work truck, which would replace the one that hauls the salt. 2. Quarterly bids have been sent out for aggregate and concrete and will be due on Wednesday, September 28. 3. The entrance/right of way to the south of Ray's work will start tomorrow.

Property and Recreation: No report.

Motion was made by Councilor Brown seconded by Councilor Hess to adjourn the meeting. Motion carried 8-0.

JAMES R THATCHER, Mayor

ATTEST:

KERRY ROZMAN, City Clerk

APPROPRIATION ORDINANCE
And
WARRANT REGISTER

No. 3647

September 29, 2016

An Ordinance making appropriation for the payment of certain claims. Be it ordained by the Mayor and the Council of the City of Clay Center, Kansas:

Sec. 1. That in order to pay claims hereinafter stated which have been properly audited and approved, there is hereby appropriated out of the respective funds in the city treasury the following amounts to-wit:

Payroll period **September 14th thru September 27th, 2016**

<u>Base</u>	<u>Emp/Ben</u>	<u>W/H Taxes</u>	<u>B/C</u>	<u>Net</u>	<u>Vouchers</u>
<u>\$53,365.53</u>	<u>\$6,929.74</u>	<u>\$6,054.51</u>	<u>\$2,114.54</u>	<u>\$38,266.74</u>	

Sec. 2. That this Ordinance shall take effect and be in force from and after its passage.

Passed and Signed this **29th** day of **September 2016**.

(SEAL)

Mayor

Attested:

City Clerk

ACCOUNTS PAYABLE ACTIVITY CLAIMS REPORT

APPROPRIATIONS NO. 3648

VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL
ACCOUNTS PAYABLE CLAIMS -----			
	GENERAL OPERATING FUND		
	NON DEPARTMENT		
AFLAC	ACCT#:OCUF4-GG		844.86
BLUE CROSS/BLUE SHIELD	CITY GROUP#5744102		925.72
VISION SERVICE PLAN -	CITY ACCT#:30-020920-0001		296.82
			=====
	NON DEPARTMENT		2,067.40
	GENERAL		
ARBOR DAY FOUNDATION	ANNUAL MEMBERSHIP		10.00
BLUE CROSS/BLUE SHIELD	ADMINISTRATIVE		4,681.12
CLAY COUNTY GENERAL	EMERGENCY PREPAREDNESS		100.00
DATA TECHNOLOGIES INC	SOFTWARE/TRAINING		2,385.00
KANSAS GAS SERVICE	CITY HALL		55.65
LABORCHEX	BACKGROUND CHECK-CMB LICENSE		42.18
MUNICIPAL LIGHT & WATER DEPT	3 LED STOP LIGHT LENSES-GG		1,594.10
PETTY CASH	PETTY CASH CHECK CHARGE		18.00
UNION STATE BANK	OCTOBER PRINTER LEASE		147.76
			=====
	GENERAL		9,033.81
	POLICE		
BLUE CROSS/BLUE SHIELD	POLICE		8,376.57
BUD'S TIRE SERVICE	TIRE REPAIR-POLICE DEPT		40.00
CCARE	OCTOBER MONTHLY PAYMENT		1,666.67
CLAY COUNTY GENERAL	DISPATCHER TOTAL		7,658.41
PETTY CASH	KBI POSTAGE-BR-POLICE DEPT	39.76	
PETTY CASH	KBI POSTAGE-BR-POLICE DEPT	10.74	50.50
			=====
	POLICE		17,792.15
	FIRE		
BAND BOX CLEANERS	SEW PATCHES-FIRE DEPT		14.00
BLUE CROSS/BLUE SHIELD	FIRE		10,233.75
GALLS, LLC	CROWD CONTROL, BLS KIT-FIRE		503.07
KANSAS GAS SERVICE	FIRE		52.09
UNIVERSAL, INC.	SUPPLIES-FIRE DEPT		293.17
			=====
	FIRE		11,096.08
	HIGHWAY		

ACCOUNTS PAYABLE ACTIVITY

CLAIMS REPORT

VENDOR NAME	REFERENCE	INVOICE AMT	VENDOR TOTAL
BLUE CROSS/BLUE SHIELD	STREET		6,738.82
FIVE CREEK	DRIVEWAY REPAIR-STREET DEPT		700.00
KANSAS GAS SERVICE	STREET		40.70
LOGAN CONTRACTORS SUPPLY	CRACK SEALER PARTS-STREET		496.98
MATHESON	LEATHER GLOVES-STREET DEPT		115.93
OETINGER-LLOYD CONST. INC	LABOR-JULY,AUG,SEPT-STREET		900.00
PERFECTION AUTO BODY INC	DOOR REPAIR CY-7-STREET DEPT		500.00
PETTY CASH	BOOT REIMBURSEMENT-KS-STREET		100.00
			=====
	HIGHWAY		9,592.43
	PARK		
BLUE CROSS/BLUE SHIELD	PARKS		4,189.24
BRUNA IMPLEMENT CO	CLUTCH-PARKS DEPT		519.91
BUD'S TIRE SERVICE	TIRE REPAIRS-PARKS DEPT		47.95
KANSAS GAS SERVICE	PARKS		95.17
MEL'S PUMP & PLUMBING	SINK REPAIR-PARKS DEPT		85.00
			=====
	PARK		4,937.27
	POOL		
KANSAS GAS SERVICE	POOL		57.80
			=====
	POOL		57.80
	CEMETERY		
BLUE CROSS/BLUE SHIELD	CEMETERY		1,512.41
KANSAS GAS SERVICE	CEMETERY		34.31
SCHENDEL PEST CONTROL INC	SPRAY AT CEMETERY-CEMETERY		42.00
			=====
	CEMETERY		1,588.72
			=====
	GENERAL OPERATING FUND		56,165.66
	AIRPORT		
	NON DEPARTMENT		
HEINEN BROS AGRA SERVICES	OCTOBER MONTHLY PAYMENT		1,627.11
KANSAS GAS SERVICE	AIRPORT		39.89
KRAMER OIL CO.,INC.	AVIATION GAS		9,178.97
			=====
	NON DEPARTMENT		10,845.97

ACCOUNTS PAYABLE ACTIVITY

CLAIMS REPORT

VENDOR NAME	REFERENCE	INVOICE AMT	VENDOR TOTAL
	AIRPORT		=====
			10,845.97
	INDUSTRIAL		
	NON DEPARTMENT		
CLAY COUNTY ECONOMIC	4TH QUARTER CONTRACT SERVICES		6,250.00
			=====
	NON DEPARTMENT		6,250.00
			=====
	INDUSTRIAL		6,250.00
	LIBRARY		
	NON DEPARTMENT		
CLAY CENTER PUBLIC LIBRARY	TAX DISTRIBUTION		11,225.02
			=====
	NON DEPARTMENT		11,225.02
			=====
	LIBRARY		11,225.02
	SPECIAL GAS TAX		
	NON DEPARTMENT		
BAYER CONSTRUCTION CO INC	ROAD MATERIAL		209.17
SHILLING ASPHALT, INC	ASPHALT-STREET DEPT		3,245.80
			=====
	NON DEPARTMENT		3,454.97
			=====
	SPECIAL GAS TAX		3,454.97
	SPECIAL PARKS & REC		
	NON DEPARTMENT		
CLAY COUNTY HISTORICAL SOCIETY	PIONEER FESTIVAL DONATION		350.00
			=====
	NON DEPARTMENT		350.00
			=====
	SPECIAL PARKS & REC		350.00
	AIRPORT REPAIRS		

ACCOUNTS PAYABLE ACTIVITY CLAIMS REPORT

VENDOR NAME	REFERENCE	INVOICE AMT	VENDOR TOTAL
	NON DEPARTMENT		
benesch - A. BENESCH & CO.	AWOS INSTALLATION-AIRPORT REPA	2,007.45	=====
	NON DEPARTMENT	2,007.45	=====
	AIRPORT REPAIRS	2,007.45	=====
	BLUE CROSS		
	NON DEPARTMENT		
AFLAC	HOUSING AUTHORITY	54.86	
VISION SERVICE PLAN -	HOUSING AUTHORITY	17.63	=====
	NON DEPARTMENT	72.49	=====
	BLUE CROSS	72.49	=====
	CRIMESTOPPERS		
	NON DEPARTMENT		
PUBLIC ENGINES	CLAY CO CRIME STOPPERS TIPSOFT	1,006.00	=====
	NON DEPARTMENT	1,006.00	=====
	CRIMESTOPPERS	1,006.00	=====
	REFUSE DISPOSAL		
	NON DEPARTMENT		
AFLAC	REFUSE	78.16	
BLUE CROSS/BLUE SHIELD	REFUSE	3,276.69	
DOWNING SALES & SERVICE	HYDRO FILTER-TRASH TRUCK	3,969.35	
VISION SERVICE PLAN -	REFUSE	19.24	=====
	NON DEPARTMENT	7,343.44	=====
	REFUSE DISPOSAL	7,343.44	=====
	WASTE WATER		
	NON DEPARTMENT		

**ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT**

VENDOR NAME	REFERENCE	INVOICE AMT	VENDOR TOTAL
AFLAC	WASTEWATER		40.04
BLUE CROSS/BLUE SHIELD	WASTEWATER		5,889.92
GRIGGS ELECTRIC	ROTOR MOTOR-WASTEWATER		1,030.00
KANSAS GAS SERVICE	WASTEWATER		101.64
PERFECTION AUTO BODY INC	VAN WINDOW REPLACE-WASTEWATER		70.00
RON'S PLUMBING	SERVICE VACCUUM TRAILER-WW		198.00
UNIVERSAL, INC.	GLOVES, SPRAY, CLAMPS-WASTEWATER		959.20
VISION SERVICE PLAN -	WASTEWATER		91.46
VISION SERVICE PLAN -			
	NON DEPARTMENT		=====
			8,380.26
			=====
	WASTE WATER		8,380.26
**** PAID TOTAL ****			45,824.24
**** SCHED TOTAL ****			61,277.02
			=====
***** REPORT TOTAL *****			107,101.26
			=====

ORDINANCE NO. 2341

AN ORDINANCE PROVIDING FOR REVISION TO THE CODE CONCERNING PAYMENT OF INSURANCE PROCEEDS IN THE CITY OF CLAY CENTER, KANSAS; AMENDING SECTIONS 8-901, 8-902 and 8-907, CHAPTER 8, ARTICLE 9, OF THE CITY CODE OF THE CITY OF CLAY CENTER, KANSAS, AND REPEALING SAID EXISTING SECTIONS AND CORRESPONDING PORTIONS OF ORDINANCE NO. 1992.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CLAY CENTER, KANSAS:

Section 1. That Sections 8-901, 8-902 and 8-907, all in Chapter 8, of the City Code is hereby repealed and the following enacted in lieu thereof:

8-901. SCOPE AND APPLICATION. The City is hereby authorized to utilize the procedures established by K.S.A. 40-3901 et seq., whereby no insurance company shall pay a claim of a named insured for loss or damage to any building or other structure located within the City, where the amount recoverable for the loss or damage to the building or other structure under all policies is in excess of 75 percent of the face value of the policy covering such building or other insured structure, unless there is compliance with the procedures set out in this ordinance.

8-902. LIEN CREATED. The governing body of the City hereby creates a lien in favor of the City on the proceeds of any insurance policy based upon a covered claim payment made for damage or loss to a building or other structure located within the City, where the amount recoverable for all the loss or damage to the building or other structure under all policies is in excess of 75 percent of the face value of the policy(s) covering such building or other insured structure. The lien arises upon any unpaid tax, special ad valorem levy, or any other charge imposed upon real property by or on behalf of the City which is an encumbrance on real property, whether or not evidenced by written instrument, or such tax, levy, assessment, expense or other charge that has remained undischarged for at least one (1) year prior to the filing of a proof of loss.

8-907. BUILDING INSPECTOR; INVESTIGATION, REMOVAL OF STRUCTURE.

(a) Upon receipt of moneys as provided for by this ordinance, the City Treasurer shall immediately notify the chief building inspector of said receipt, and transmit all documentation received from the insurance company or companies to the chief building inspector.

(b) Within 30 days of the receipt of said moneys, the chief building inspector shall determine, after prior investigation, whether the City shall instigate proceedings under the provisions of K.S.A. 12-1750 et seq., as amended.

(c) Prior to the expiration of the 30 days established by subsection (b) of this ordinance, the chief building inspector shall notify the City Treasurer whether he or she intends to initiate proceedings under K.S.A. 12-1750 et seq., as amended.

(d) If the chief building inspector has determined that proceedings under K.S.A. 12-1750 et seq.,

as amended shall be initiated, he or she will do so immediately but no later than 45 days after receipt of the moneys by the City Treasurer.

(e) Upon notification to the City Treasurer by the chief building inspector that no proceedings shall be initiated under K.S.A. 12-1750 et seq., as amended, the City Treasurer shall return all such moneys received, plus accrued interest, to the insured or insureds as identified in the communication from the insurance company or companies. Such return shall be accomplished within 45 days of the receipt of the moneys from the insurance company or companies.

Section 2: That the changes found herein are pursuant to House Bill 2446, passed by the Kansas State Legislature and made effective July 1, 2016.

Section 3: That this Ordinance shall take effect and be in force from and after its passage, approval and publication once in the official City newspaper.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON OCTOBER 4, 2016.

James R. Thatcher, Jr., Mayor

ATTEST:

Kerry Rozman, City Clerk

(SEAL)

(Published in the Clay Center Dispatch October__ 2016)

ORDINANCE NO. 2342

AN ORDINANCE PROVIDING FOR REVISION TO GOVERNING BODY ELECTIONS THE CITY OF CLAY CENTER, KANSAS; AMENDING SECTION 6-103 OF THE CITY CODE

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CLAY CENTER, KANSAS;

Section 1: That Section 6-103 of the City Code is hereby amended to include the following language.

Section 2: Section 6-103 of the City Code is hereby amended to read as follows:
"6-103 ELECTION; TERMS OF OFFICE; MAYOR; COUNCIL PERSONS. On the first Tuesday in November, 2017, pursuant to K.S.A. 14-103 and 14-201 and City Charter Ordinance No. 13, there shall be elected a Councilperson for the position of councilperson number one for a term of four years. On the first Tuesday in November, 2019, and every four years thereafter, there shall be elected a Mayor and Councilperson for the position of Councilperson Number two for a term of four years.
All City elections shall be nonpartisan. Laws applicable to elections occurring at the same time as City elections shall apply to City elections to the extent that the same are not in conflict with the provisions of Article 21 of Chapter 25 of the Kansas Statutes Annotated."

Section 3: That this Ordinance shall take effect and be in force from and after its passage, approval and publication once in the official city newspaper.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON OCTOBER 4, 2016.

James R. Thatcher, Jr., Mayor

ATTEST:

Kerry Rozman, City Clerk
(SEAL)