

CLAY CENTER CITY COUNCIL MEETING MINUTES
AUGUST 16, 2016

The Clay Center City Council met in regular session on August 16, 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 Dustin Mullin and City Clerk Kerry Rozman. Phil Kasper was absent.

Mayor Thatcher opened the Public Hearing for the 2017 Budget at 5:31 p.m. There were no comments from the Public. The Public Hearing ended at 5:32 p.m.

Clerk Rozman reminded the governing body about the League of Kansas Municipalities meeting to be held on October 8-10 in Overland Park, Kansas.

The minutes from the Public Utilities Commission meeting on August 1, 2016 and Public Utilities Commission Appropriations Nos. 2346 and 2347 were presented for review. The July financial reports were included for review.

Attorney Mullin received a copy of a motion for summary judgment that JB King filed on behalf of the city regarding the airport litigation.

The Consent Agenda consisted of the meeting minutes of August 2, 2016 and Appropriation Ordinances Nos. 3640 and 3641. 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, Brown, Ouellette, Hoover, Snodgrass and Knitter. Nays: None.

Ordinance No. 2336 Providing for Revision to the Code Concerning Payment of Insurance Proceeds in the City of Clay Center, Kansas; Amending Sections 8-901 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 was introduced by Attorney Mullin. This ordinance reflects the changes mandated by the State of Kansas. The changes in Section 8-901 and 8-902 remove the language "arising out of any fire, explosion, or windstorm". The changes in Section 907 change the time periods from 20 days to 30 days and other portions from 30 days to 45 days. A motion was made by Councilor Hess seconded by Councilor Ouellette to adopt Ordinance No. 2336 as presented. Roll call vote: Yeas: Hoover, Snodgrass, Hess, Ouellette, Brown, Knitter and Livengood. Nays: None.

A motion was made by Councilor Hoover seconded by Councilor Brown to adopt Ordinance No. 2337 Annexing, Adding to and Make a Part of the City of Clay Center, a Tract of Land Located in the Northeast Quarter of Section Twelve, Township Eight South, Range Tow, East of the 6th P.M. in Clay County, Kansas. This property is just west of town on the south side of the highway and will be the new home of Glavan Ford. Roll call vote: Yeas: Knitter, Hess, Ouellette, Brown, Snodgrass, Livengood and Hoover. Nays: None.

Attorney Mullin reviewed Ordinance No. 2338 Providing for Municipal Court Costs in the City of Clay Center, Kansas; Amending Section 9-113 of the City Code of the City of Clay Center, Kansas, Repealing Said Existing Sections. A motion was made by Councilor Brown seconded by Councilor Ouellette to adopt Ordinance No. 2338 as presented. Roll call vote: Yeas: Brown, Ouellette, Hoover, Knitter, Snodgrass, Hess and Livengood. Nays: None.

A motion was made by Councilor Ouellette seconded by Councilor Knitter to adopt Ordinance No. 2339 Adopting the Uniform Public Offense Code for Kansas Cities. Roll call vote: Yeas: Hess, Ouellette, Hoover, Knitter, Livengood, Brown and Snodgrass. Nays: None.

A motion was made by Councilor Hess seconded by Councilor Brown to adopt Ordinance No. 2340 Adopting the Standard Traffic Ordinance for Kansas Cities. Roll call vote: Yeas: Ouellette, Hess, Hoover Livengood, Brown, Knitter and Snodgrass. Nays: None.

Resolution No. 1583 was introduced by Attorney Mullin. This resolution sets the policy for the issuance of permits to sell fireworks within the city limits. Adoption of this resolution will eliminate the need to bring each

application/license to the governing body for approval. A motion was made by Councilor Hess seconded by Councilor Brown to approve Resolution No. 1583 Authorizing the Sign. Roll call vote: Yeas: Hoover, Livengood, Hess, Ouellette, Snodgrass, Knitter and Brown. Nays: None.

A motion was made by Councilor Livengood seconded by Councilor Ouellette to adopt the 2017 Budget as presented. Councilor Hess questioned why the mill levy is not more if there are going to be mandates by the State. Motion carried 7-0.

Bids were recently solicited for asphalt overly on 3rd Street from Crawford Street to Huntress Street as well as the alley south of Crawford Street starting at 6th Street and proceeding east to 8th Street. Four bids were received from the following: Shilling Construction in the amount of \$77,465.75; APAC-KANSAS in the amount of \$78,265.85; Bayer Construction Company, Inc. in the amount of \$79,236.00; and Hall Brothers, Inc. in the amount of \$81,849.85. A motion was made by Councilor Brown seconded by Councilor Hess to accept the bid from Shilling Construction in the amount of \$77,465.75 and to authorize the agreement with Shilling.. Motion carried 7-0.

A renewal Law Enforcement Lease Agreement with the County was presented for approval. There are no changes from last year. A motion was made by Councilor Snodgrass seconded by Councilor Hoover to approve the Law Enforcement Agreement with the County as presented. Motion carried 7-0.

Mike Floersch has chosen to step down from the Public Utilities Commission. Mayor Thatcher thanked him for his service. Mayor Thatcher is recommending that Aaron Floersch be appointed to the Public Utilities Commission. A motion was made by Councilor Hess seconded by Councilor Brown to appoint Aaron Floersch. Motion carried 7-0.

Committee Reports as follows:

Administrative: No report.

Public Safety: Councilor Snodgrass reported on the following: 1. The committee met with Chief Ihnen on Monday morning to discuss the purchase of a new fire truck. Financing options are now being looked into. This will be brought back the first of September.

Public Services: Councilor Brown reported on the following: 1. The new trash truck arrived today but was being sent back for a minor adjustment.

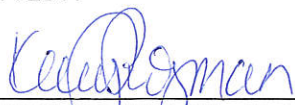
Property and Recreation: Councilor Ouellette reported on the following: 1. The committee had a meeting prior to the council meeting and discussed the pool end of season, the AWOS system progress, the possibility of having a property and recreation director upon Otto's retirement. 2. The Rotary Club will be touching up the Welcome to Clay Center signs upon the entrances to the city.

Daton Hess indicated the condition of Country Gardens needs to addressed and he challenges the governing body members to drive through the property and see for themselves what it looks like. A motion was made by Councilor Hess seconded by Councilor Knitter to direct the city attorney to send a letter to the owner instructing them to clean up the property and also get in touch with the County Health Department and Fire Chief. Motion carried 7-0.

Motion was made by Councilor Brown seconded by Councilor Hess to adjourn the meeting. Motion carried 7-0.


JAMES R. THATCHER, Mayor

ATTEST:


KERRY ROZMAN, City Clerk