

REGULAR MEETING, COUNCIL CHAMBERS, WASHINGTON, KANSAS, MAY 5, 2003

The Governing body of the City of Washington, Kansas, met in regular session in the usual meeting place in said City on the fifth day of May, 2003, at 7 p.m. with the following members present: Mayor Travis Kier; Council Members: Meyler Gibbs, Dawn Kramer, Jon Snapp and Kevin Williams. Council Member Roxanne Schottel arrived at 7:45 p.m.

ABSENT: None

ALSO PRESENT WERE: Tim Schook, City Administrator; Paul Monty, City Attorney; Janet Jones, Retiring City Clerk; Denise Powell, City Clerk; Bill Hays, Washington County News; Boy Scout Troop Pack 86; Lou Kern, Don and Sandy Alldredge, Francis and Lorretta Nutsch, Wayne Bolejack.

Copies of the minutes of the previous regular meeting of Monday, April 7, 2003, were given to the Mayor and each Council Member for review. Councilman Jon Snapp requested a correction to the minutes from the April 7 meeting to reflect him abstaining from voting concerning the City's contract with Brad and Donna Portenier. With the correction noted, Councilman Meyler Gibbs moved to accept the minutes. Councilman Kevin Williams seconded the motion. Motion carried.

COUNCIL MEETING NOTES

MAYOR APPOINTMENTS: Mayor Travis Kier read his recommended appointments. See attachment. Councilwoman Dawn Kramer made a motion to accept the appointments. Councilman Meyler Gibbs seconded the motion. Motion carried.

SWEARING IN: Janet Jones, retiring City Clerk, swore in Denise Powell as the new city clerk. Powell signed her loyalty to oath.

WELCOME: Mayor Travis Kier gave a welcome to Boy Scout Troop Pack 86. Scout leader Rick Dean stated the troop was working on a communications merit badge and part of the requirement to earn the badge is to attend a public meeting. Present were Michael Walter, Jacob Hughes, Rusty Johnson, Cody Dodd, Tyler Kern, Joe Rundle, Jacob Kongs, Steven Colgrove, Rick Dean, troop leader, Mike Kongs, and Ryan Kern. Ryan Kern is attending college at Kansas State University. One of his class requirements is to perform 20 hours of community service for an organization for which he has chosen Pack 86.

FRANCHISE AGREEMENT: Larry Devine, Kansas Gas Service, discussed the franchise agreement between Kansas Gas Service and the City of Washington. Devine pointed out the key changes which are going to a 20 year ordinance, going from 2% to a 5% franchise fee; effective date of July 5, 2003; the agreement will be reviewed every five years and may be reviewed at other times at the request of either party; and the ordinance would allow the city the option of entering into a sister ordinance on transportation of natural gas.

There came on for consideration an Ordinance entitled:

ORDINANCE NO. 682

AN ORDINANCE, GRANTING TO KANSAS GAS SERVICE COMPANY, A DIVISION OF ONEOK, INC., ITS SUCCESSORS AND ASSIGNS, A NATURAL GAS FANCHISE, PRESCRIBING THE TERMS THEREOF AND RELATING THERETO, AND REPEALING ALL ORDINANCES OF PARTS OF ORDINANCES INCONSISTENT WITH OR IN CONFLICT WITH THE TERMS HEREOF.

Said Ordinance No. 682 was read in full, considered and discussed, thereupon Councilwoman Dawn Kramer moved for its adoption and Councilman Kevin Williams seconded the motion. Thereupon the Mayor declared Ordinance No. 682 duly adopted and passed unanimously by all Council Members present.

VEHICLES ON CITY STREETS: The issue of large trucks on city streets for long periods of time was again brought before City Council. Don Alldredge, who has raised the issue the last two months, returned with several supporters to seek action.

Specifically, Alldredge was complaining about two trucks that had been parked for months on Third Street near F Street. One has recently been moved, at least temporarily, he said. Alldredge stated he and others were

concerned for the safety of children and other motorists because of poor visibility caused by the trucks, citing several close calls.

Allredge and others submitted a request in writing to pass an ordinance to limit the time a large truck might be parked on city streets. City Administrator Tim Schook is to see whether other cities in Kansas have an ordinance controlling such situations and report at the June meeting. Council members and City Attorney Paul Monty were concerned that efforts to regulate such parking could raise a multitude of problems, including enforcement. The issue will be revisited at 8 p.m. of the June 2, 2003, meeting.

REFUSE: Licensing of trash haulers was discussed. City Attorney Paul Monty asked the Council what they were recommending for a licensing fee and how much insurance the hauler would be required to carry. The Council talked about setting the licensing fee at \$50, personal insurance at \$100,000 and property insurance \$300,000. Monty also asked about setting a day for pickup. The Council suggested just making a minimum for residential trash to be picked up once a week. Monty stated there is a section covering burning in this ordinance so a separate ordinance would not be necessary. City Attorney Paul Monty will draw up the refuse contract to be reviewed at the June meeting.

SALARIES: City Administrator Tim Schook reminded the Council they should be thinking about pay raises for City employees. The Personnel Policy states they should receive COLA plus one percent longevity raises. The decision needs to be made at the June meeting so they can take effect the first of July.

BID OPENING: City Administrator Tim Schook opened the only bid for running the ballpark concessions. The bid was from Lori Cook offering a profit share of 17 percent. City Councilwoman Roxanne Schottel made a motion to accept the bid with Councilwoman Dawn Kramer seconding the motion. Motion carried.

ACCOUNTING SOFTWARE: City Clerk Denise Powell visited with the Council about the existing accounting software. The City has been using a Redwing program that runs under the DOS operating system. Powell presented two bids for updating to Redwing's TurningPoint, a windows based program. Mid West Stationers, Marysville placed a bid of \$2878 and a one-time support fee of \$1,400. Computer Solutions, Inc., placed a bid of \$2878 with a support fee of \$85 per hour and trip fee of \$31.50 for each on site call. Powell stated updating to the Redwing TurningPoint would require a laser printer also. A decision was reached on the purchase of a new copier. Councilman Jon Snapp made a motion to accept Mid West Stationers bid on the Redwing TurningPoint software at a cost of \$4278 and to purchase a Hewlett Packard 4101MFP Network Printer copier and a Hewlett Packard LaserJet 1000 Printer for a cost of \$3148 from Computer Solutions, Inc. Councilman Kevin Williams seconded the motion. Motion carried.

CREDIT CARD: Councilman Meyler Gibbs moved to accept Resolution No. 2003-06 to obtain a credit card account. Councilwoman Roxanne Schottel seconded the motion. Motion carried.

#### RESOLUTION NO. 2003-06

A RESOLUTION TO OBTAIN CREDIT CARD ACCOUNT FROM COMMERCE BANK.

KPERS: Councilman Jon Snapp made a motion appoint Denise Powell as designated agent and Colleen Hillyer, alternate signer, for Kansas Public Employees Retirement System. Councilman Meyler Gibbs seconded the motion. Motion carried.

FREEDOM OF INFORMATION OFFICER: Councilman Kevin Williams made a motion to accept Resolution 2003-07 appointing City Clerk Denise Powell as the Freedom of Information officer for the City. Councilwoman Roxanne Schottel seconded the motion.

#### RESOLUTION 2003-07

A RESOLUTION APPOINTING A LOCAL FREEDOM OF INFORMATION OFFICER FOR THE CITY OF WASHINGTON, AND PROVIDING FOR THE OFFICERS DUTIES.

CUSTODIAL AGREEMENT: Councilwoman Dawn Kramer made a motion to accept and authorize the Mayor to sign the Custodial Agreement with Gold Bank. Motion seconded by Councilman Meyler Gibbs. Motion carried.

AUTHORIZATION OF DEPOSITS ACCOUNTS: Councilman Kevin Williams made a motion to accept Resolution 2003-08 a Corporate Resolution authorizing the opening of deposit accounts with First National Bank of Washington. Councilwoman Dawn Kramer seconded the motion. Motion carried.

#### RESOLUTION 2003-08

A RESOLUTION STATING THAT FIRST NATIONAL BANK OF WASHINGTON, WASHINGTON, KANSAS, IS DESIGNATED A DEPOSITARY OF THIS CORPORATION; AND FURTHER RESOLVED, THAT ALL DRAFTS, CHECKS, AND OTHER INSTRUMENTS OR ORDERS FOR THE PAYMENT OF MONEY DRAWN AGAINST THE ACCOUNT OR ACCOUNTS OF THIS CORPORATION WITH THE DEPOSITARY SHALL BE SIGNED BY ANY THREE OFFICERS.

ANNEXATION: Councilman Kevin Williams inquired about the annexation of some property bordering the City. City Attorney Paul Monty stated nothing could be done because the owner has more than 21 acres of land.

INSURANCE: Councilman Jon Snapp reminded the Council a decision needs to be made for an insurance consultant. No action was taken.

MAINTENANCE OF PROPERTY: Mayor Travis Kier informed the Council that Spring is here and he would like the citizens of Washington to maintain their property. Mayor Kier stated the Council is going to need to step forward and see that it is done.

#### CITY ADMINISTRATOR TIM SCHOOK'S BUSINESS:

CLERK: City Administrator Schook stated that Denise Powell has moved to a salary position and that her wage must go from hourly to salary.

On motion by Councilman Jon Snapp that the City Council go into executive session for approximately 10 minutes for the purpose to discuss non elected personnel. From 8:52 p.m. to 9:02 p.m. Thereupon Councilman Meyler Gibbs seconded the motion. Thereupon the motion carried unanimously.

On motion by Councilman Meyler Gibbs that the council reconvenes to the regular session at 9:02 p.m. Thereupon Councilman Jon Snapp seconded the motion. Motion was declared carried.

Councilman Meyler Gibbs made a motion to set new City Clerk Denise Powell's salary at \$22,500. Motion seconded by Councilman Jon Snapp. Motion carried.

Councilman Jon Snapp made a motion to give Denise Powell her choice of vacation or cash on her existing comp time at her prior salary rate. Councilwoman Dawn Kramer seconded the motion. Motion carried.

City Clerk Denise Powell inquired what her pay would be when working for the ambulance. After discussion, the Council agreed it should be the same as other city employees.

ECONOMIC DEVELOPMENT: City Administrator Tim Schook presented the contract with Brad Owen to the City Council. The contract is to transfer the former Hyland building property to Owen for his exchange in making improvement to the building. Councilwoman Dawn Kramer moved to authorize the Mayor and City Clerk to sign the contract. Councilman Jon seconded the motion. Motion carried.

Schook said the City Attorney Paul Monty drew up the contract between the City of Washington and Brad and Donna Portenier. He delivered the contract to Portenier's, but they were not ready to enter into the contract.

On motion by Councilwoman Dawn Kramer that the City Council go into executive session for approximately 10 minutes for the purpose to discuss contractual negotiations. From 9:12 p.m. to 9:22 p.m. Thereupon Councilman Jon Snapp seconded the motion. Thereupon the motion carried unanimously.

On motion by Councilwoman Dawn Kramer that the Council reconvenes to the regular session at 9:22 p.m. Thereupon Councilman Kevin Williams seconded the motion. Motion was declared carried.

SWIMMING POOL: City Administrator Schook presented adding a 10-Swim Pass for admission to the pool. This pass will be offered at a discounted rate off the daily admission. The pass could be used for 10 single admissions or for 10 people to swim in one day. The child's pass would be offered at the rate of \$13 and the adult's

pass at \$17.50. Councilwoman Roxanne Schottel made a motion to accept the Ten-Swim Pass at \$13 for a child's pass and \$17.50 for the adult's pass. Councilman Kevin Williams seconded the motion. Motion carried.

**WESTSIDE PROPERTY:** City Administrator Schook informed the Council that the cooling tower project at the Power Plant is winding down. As soon as it is done, demolition will begin on the Westside property.

**LEASE/PURCHASE:** City Administrator Schook stated that City Attorney Paul Monty has reviewed the lease/purchase agreement with First National Bank of Washington on the cooling tower project. Monty stated, "everything is ready to go. A motion needs to be made to approve the lease/purchase agreement." Councilman Kevin Williams made a motion to approve the lease/purchase agreement with First National Bank of Washington on the cooling tower project. Councilwoman Dawn Kramer seconded the motion. Motion carried. Councilman Jon Snapp abstained.

**POWER PLANT:** City Administrator Tim Schook stated he would like the Council to tour the Power Plant immediately after calling the June meeting to order and approving the minutes. The Council will tour the plant at 7:15 p.m. June 2, 2003.

**SPILL PLAN:** Environmental Protection Agency mandates guidelines for Spill Prevention Containment and Control. Schook stated the plan must have an engineering stamp with it and he has talked with Sega who estimates the cost around \$12,500. Schook said he would entertain bids from other firms and the Council could revisit the issue at the June meeting.

**GAS SERVICE:** Kansas Gas Service would like to rework the gas meter at the Power Plant said City Administrator Tim Schook. The plan is to put one big header above ground to run the gas service off of. At that time, Schook said the City should consider replacing the gas lines to the engines due to all of them running underground in every which direction. Kansas Gas Service is doing the engineering work at this time.

**FIRE/AMBULANCE BUILDING:** City Administrator Tim Schook stated the environmental review is being done. Schook stated he was hoping the City could break ground the first of June. The engineers are working on the drawings and specifications.

**POLES AND TRANSFORMERS:** A concrete pad will be poured for transformers out by the sewer plant, according to Schook. The poles and transformers will be moved to clear the site for the construction of the ambulance/fire building. Schook stated he thinks the cost will be \$4-5,000 but will a more accurate cost estimate by the June meeting.

**SEWER PLANT:** Schook reported the City did not have to hire the valve insertion company to install the shut off valve at the sewer lift station. The City employees were able to get it done on their own. Repairs to the valve down in the pit have not been done yet.

**ZONING:** Councilwoman Dawn Kramer asked if work on Zoning was going anywhere? Schook stated it is on going. The last meeting was postponed but the committee plans to meet this month, typically the third Monday.

**LAGOON TRAINING:** The Kansas Rural Water Association will put on a Wastewater Lagoon Operation and Maintenance training course Wednesday, May 21 at Old City Hall in Washington.

There came on for consideration an Ordinance entitle:

APPROPRIATIONS ORDINANCE NO. 2003-05

"AN ORDINANCE ALLOWING FOR PAYMENT OF THE CITY'S BILLS AND DEBITS."

Thereupon on motion made by Council Member Dawn Kramer moved for its adoption, that the City Clerk is hereby authorized and directed to issue payroll Check \_\_\_\_\_ through \_\_\_\_\_ and warrant Check \_\_\_\_\_ through \_\_\_\_\_ in payment of just bills and claims against the City and debit the appropriate fund for each expenditure. Thereupon Council Member Meyler Gibbs seconded the motion. Thereupon the mayor declared the motion carried.

Councilman Jon Snapp made a motion to adjourn to 7 p.m. Monday, June 2, 2003, at City Hall. Councilman Meyler Gibbs seconded the motion. Motion carried.

