

REGULAR MEETING, COUNCIL CHAMBERS, WASHINGTON, KANSAS, JULY 7, 2003

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

ABSENT: None

ALSO PRESENT WERE: Tim Schook, City Administrator; Paul Monty, City Attorney; Denise Powell, City Clerk; Bill Hays, Washington County News; Terry Bailey and David Rhodes, Earthmovers; Deb Nutsch, Washington; Mike Kongs, Mark Chapin and Lynn Schneider, Assisted Living Center.

Copies of the minutes of the previous regular meeting of Monday, June 2, 2003, were given to the Mayor and each Council Member for review. Councilwoman Dawn Kramer moved to accept the minutes. Councilwoman Roxanne Schottel seconded the motion. Motion carried.

COUNCIL MEETING NOTES

EARTHMOVERS: David Rhodes, General Manager of Earthmovers, asked the Council for extra land in the industrial park to build a storage facility. Corporation Head Terry Bailey and General Manager David Rhodes said the new building, just northeast of the existing plant, would be used to store spare parts. It would not only improve the appearance of the plant but also make the parts operation more efficient and secure.

Rhodes stated the addition would enhance the business, put property on tax role and beautify the area. He said they are ready to proceed and would like to have the project completed by the end of the summer. "The City has been gracious with property in the past and that is what we're looking at. The building construction would be on us," said Bailey.

Schook suggested squaring the property. North Central Kansas Processors will be putting in a grain bin and will need the corner of the property to drive trucks around the bin.

Councilwoman Dawn Kramer made a motion to have City Attorney Paul Monty draw up a contract and deed for 250 feet East and West and 200 feet North and South adjoining Tract 1 with construction occurring within a 12-month period of time to Richard Terry Bailey, d/b/a Earthmovers. Seconded by Councilman Jon Snapp. Motion carried.

FOURTH OF JULY: Mayor Travis Kier read a letter to the editor to be placed in the Washington County News congratulating the Washington Fire Department on making the Fourth of July celebration a huge success on behalf of the City Council and Mayor Kier.

SIDEWALK: Deb Nutsch, 205 West Sixth, requested the removal of sidewalk on the south side of the corner lot that she and her husband, Perry, have recently purchased at Sixth and D Streets. The sidewalk runs east and west and is crumbling. Nutsch stated they would possibly put in a new sidewalk but that would not be immediate.

Councilman Jon Snapp made a motion to allow Deb and Perry Nutsch to remove the sidewalk with provisions that they may be required to replace the sidewalk in the future. Councilman Meyler Gibbs seconded the motion.

MAYOR'S APPOINTMENTS: Councilwoman Dawn Kramer made a motion to adopt the amended Mayor's appointments. Councilman Meyler Gibbs seconded the motion. Motion carried.

REFUSE: City Clerk Denise Powell informed the Council the timeline set by Washington County for solid waste collection ask the City to start informing their citizens in July and August of who the licensed haulers are for trash service beginning Jan. 1, 2004. Schook stated that license and license applications are being drawn up. Schook says he hopes that is done by September and they can notify and educate the citizens of Washington on their options.

VEHICLES ON CITY STREETS: The Council discussed the issue of limiting the length of time vehicles can be parked on city streets. Council members said the issue is being presented as a safety issue. Schook stated that a four-way stop or reducing the speed limit would address the safety concerns. Council members Kramer and Snapp and Mayor Travis Kier voiced concern that the intersection did not warrant a four way stop. No action was taken on the issue.

INDUSTRIAL PARK CONTRACT: City Administrator Tim Schook stated Brad and Donna Portenier were not ready to enter into the contract the City had drawn up conveying land to them to construct a building on.

FIRE/AMBULANCE BUILDING: Schook presented several contracts reviewed by City Attorney Paul Monty.

- 1) Acceptance of and authorization to publish in the Washington County News the Fair Housing Notice. Councilman Meyler Gibbs moved to accept and publish in the Washington County News the Fair Housing Notice. Councilwoman Roxanne Schottel seconded the motion. Motion carried.
- 2) Adoption of the City of Washington Code of Ethics Policy. Councilman Meyler Gibbs moved to adopt the City of Washington Code of Ethics. Councilwoman Dawn Kramer seconded the motion. Motion carried.
- 3) Councilman Kevin Williams moved to adopt the Civil Rights Plan of Action Outline. Councilwoman Dawn Kramer seconded the motion. Motion carried.
- 4) Meyler Gibbs, councilman, made a motion to accept the contract with Architect Don Marrs. Councilwoman Roxanne Schottel seconded the motion. Motion carried.
- 5) Councilwoman Roxanne Schottel made a motion to accept the contract with Kansas Rural Water Association. Kevin Williams, councilman, seconded the motion. Motion carried.

City Administrator Tim Schook stated he and Wiemers would be meeting this week to finalize the drawings with Architect Don Mars so the project can be put up for bids.

SALARIES: The Council discussed wage increases and health insurance. City Administrator Tim Schook stated he received a letter from Insurance Consultant Connie Walenta. Walenta stated health insurance would rise at least another 20 percent next year.

Councilman Meyler Gibbs made a motion to amend the personnel policy by striking D-2 B and C. Councilwoman Roxanne Schottel seconded the motion. Motion carried.

Meyler Gibbs, councilman, moved to give full-time employees the Federal Cost of Living Adjustment of 1.4% effective the first pay period in July. Councilwoman Dawn Kramer seconded the motion. Motion carried.

SAFETY DEPOSIT BOX: City Clerk Denise Powell presented the inventory list of the Safety Deposit Box at First National Bank. Councilman Kevin Williams made a motion to discontinue the safety deposit box rental upon renewal. Councilwoman Dawn Kramer seconded the motion. Motion carried. Councilman Jon Snapp abstained.

ASSISTED LIVING: Mike Kongs, Lynn Schneider and Mark Chapin sought the annexation of forty acres east of the Homestead Nursing Home and owned by the Homestead and Homestead Management Corporation. Annexation would allow city utilities to be extended to the property for an assisted living facility.

There came on for consideration an Ordinance entitled:

ORDINANCE NO. 684

AN ORDINANCE ANNEXING CERTAIN LAND INTO THE CITY OF WASHINGTON, KANSAS, IN CONFORMITY WITH THE PROVISIONS OF K.S.A. 12-520 OWNED BY CENTENNIAL HOMESTEAD, INC. AND HOMESTEAD MANAGEMENT, INC.

said Ordinance No. 684 was read in full, considered and discussed, thereupon Council member Dawn Kramer moved for its adoption and Council member Jon Snapp seconded the motion. Thereupon the Mayor declared Ordinance No. 684 duly adopted and passed unanimously by all council members present, and the Mayor directed that said Ordinance No. 684 be published in the Washington County News on Thursday, July 17, 2003, as provided by this Ordinance.

The group also requested assurance that the Council would support tax increment funding (TIF) for the project, which also must be approved by the county and USD 222. TIF would allow the organizers to set up a bond issue to finance infrastructure work for the assisted living facility. It would defer property taxes on the site until the bond is paid off.

Kongs said the group would approach the county and school board for TIF support next week. They hope ground can be broken on the project by late summer.

The group encouraged the City to improve Pierce Street on the east side of town for safety of the elderly residents who will live in the facility. It was agreed that this was long overdue. City Administrator Tim Schook suggested improving parts of College and First Streets at the same time.

EASEMENT: Bill Jones recently inquired about an easement North of the Kuhlman building where he had a fence installed for the Army Reserve. The fence is three to four feet on City property. The item was tabled till next month.

WATER SYSTEM: City Administrator Tim Schook authorized Blue Valley Sod to put in a water system at the island on C Street and at the north end of the City Park around Munchkinland. The Council approved spending up to \$7,500 at the June 2, 2003, Council meeting

SPILL PREVENTION CONTAINMENT AND CONTROL PLAN: City Administrator Tim Schook stated they are still working on the proposal. SPCC is mandated by the Environmental Protection Agency and must have an engineer's stamp.

KMGA: Councilwoman Dawn Kramer moved to appoint City Administrator Tim Schook as Director to the KMGA Board, term running Sept. 1, 2003, to Aug. 31, 2005, and Greg Wilson, a permanent member, as alternate director. Councilwoman Roxanne Schottel seconded the motion. Motion carried.

PLEDGEE AGREEMENT: Councilman Meyler Gibbs moved to authorize Mayor Travis L. Kier to sign the Pledge Agreement Form allowing City Treasurer Colleen Hillyer, City Clerk Denise M. Powell and City Administrator Timothy G. Schook to maintain security pledges on behalf of the City of Washington. Motion seconded by Councilman Kevin Williams. Motion carried. Councilman Jon Snapp abstained.

GAAP WAIVER: Councilman Meyler Gibbs moved to accept Resolution 2003-10, GAAP Waiver. Councilwoman Roxanne Schottel seconded the motion. Motion carried.

RESOLUTION 2003-10

WHEREAS: The Governing Body of the City of Washington, Washington County, Kansas, finding that financial statements and financial reports prepared in conformity with generally accepted accounting principles are not relevant to cash basis law and budget laws of Kansas and are of no significant value to that governing body or general public, request a waiver of the requirements of law relating to the preparations of financial statements and financial reports, for the year ending December 31, 2003, in accordance with provisions of K.S.A. 1982 Supp. 75-1120a (c) (1982 S.B.531).

BAD DEBTS: Councilwoman Dawn Kramer made a motion to write off bad utility debts from 1991-1999: Richard Rettinghaus, \$31.83; Keith A. Sedgwick, \$38.49; Cindy Rose, \$270.15; Lan. Davis, \$24.81; Dina Manzolo, \$79.44; Tammy Girard, \$85.76; Craig Janis, \$263.31; Donald Eheart, \$71.51; Paul McAvoy Jr., \$38.89; Sam Kellogg, \$111.24; Clay Parker, \$42.80; Cecil Johnson, \$22.66; Sirloin House, \$731.64; James Manwell, \$104.68; Kim Norgaard, \$154.50; Bi. Grider, \$13.85; Herman Ouellette, \$64.69; Paul Ahearn, \$42.09; People's Heritage, \$269.40; Sandy Brown, \$57.42; Harold Crawford, \$90.84; Kevin Ohlde, \$307.70; Marilyn Crook, \$473.20; Jeffery Arnold, \$8.38; Todd Woodward, \$2.85; Scott Drummond, \$8.06; Leslie Schroeder, \$12.06; Wesley Smith, \$29.93; Don Hoffman, \$381.64; Bob Huber, \$108.60; Harold Nelson, \$211.86; Keith Crawford, \$93.20; Dawn Ramsey, \$48.84; Strip Joint, \$134.12; Vincent Murray, \$199.99; Troy Portenier, \$21.30; Roger and Velma Cornett, \$11.00; Orvin Crum, \$488.23; Michael Duda, \$180.80; Loretta Brown (369-1), \$107.57; Kim Hill, \$104.87; Loretta Brown (501-6) \$124.30; Kimberly Bittman, \$4.33; Shane Woodside, \$10.47; Ken E. Munsterman, \$293.48; David Bilodeau (441-4), \$739.55; Robert Evey Jr., \$254.98; David Bilodeau (766-2), \$109.45; Janet Kaup, \$213.02; Gary Mathis, \$168.86; Jeff Svanda, \$134.68; Daniel Woolsey, \$757.94; Rick Hartley, \$128.09; Misty Logan, \$105.77; Robbin Roland, \$150.98; Brad Crocker, \$356.43; Washington Texaco, \$3,061.33; Bryan Lipp, \$300.93; Jayson Youngblood, \$106.28; Patricia Cook, \$171.45; John Snyder, \$2,560.07; Terri Seifert, \$126.63; John Anderson, \$78.01; Ray Meade, \$341.70. Seconding the motion was Councilman Kevin Williams. Motion carried.

DEBIT AUTHORIZATION FORM: Councilman Meyler Gibbs moved to adopt the City of Washington Debit Authorization Form, which authorizes the City to initiate debit entries on customers account at customer's financial institutions. Councilwoman Dawn Kramer seconded the motion. Motion carried.

AFLAC: Councilwoman Roxanne Schottel moved to ratify the AFLAC FLEX Plan to allow City Clerk Denise M. Powell to administer the plan. Councilman Kevin Williams seconded the motion. Motion carried.

COUNCIL: Councilman Kevin Williams informed the Mayor and Council he has taken a position in Wilber, Nebraska. He plans to keep residency in Washington. He said he would keep the Council informed of his plans.

CURB REFURBISHMENT: Councilman Jon Snapp inquired about the Curb Refurbishment program that was begun last year. Snapp asked if the City would be able to fund the program this year as planned due to budget cuts. City Administrator Tim Schook said he needs to see where the City is financially come fall. Schook said he wasn't sure the City could fund the \$10,000 maximum as they did last year.

CITY ADMINISTRATOR TIM SCHOOK'S BUSINESS:

KMGA/KANSAS GAS SERVICE: Councilwoman Dawn Kramer moved to adopt Resolution 2003-11. Jon Snapp, Councilman, seconded the motion. Motion carried.

RESOLUTION 2003-11

"A RESOLUTION AUTHORIZING THE KANSAS MUNICIPAL GAS AGENCY TO REPRESENT THE CITY OF WASHINGTON, KANSAS AND SETTLE ALL CLAIMS AND PROCEEDINGS ARISING FROM OR RELATING TO AN APPLICATION OF ONEOK, INC., d/b/a KANSAS GAS SERVICE, TO THE KANSAS CORPORATION COMMISSION FOR ADJUSTMENT OF ITS NATURAL GAS RATES IN THE STATE OF KANSAS, DOCKET NUMBER 03-KGSG-602-rts."

STANDARD TRAFFIC ORDINANCE & UNIFORM CODE FOR 2003: City Administrator Tim Schook stated he would have City Attorney Paul Monty draw up the new ordinance adopting the Standard Traffic Ordinance and Uniform Code for 2003 for approval at the August meeting. Schook stated he that would give him enough time to get the new manuals.

ORDINANCE BOOK: Schook stated the Washington County Sheriff's Office would like a copy of an updated City Ordinance Book. Schook stated he is working on getting it updated as well as on the City's website.

WESTSIDE: Schook reported that the first roof has been removed. The project is moving along on schedule.

POWER PLANT: The Niagara blower unit is up and operational. There is a glitch on PLC. Representatives from SEGA were here to work on fixing the problem. Schook stated we are at about 60 percent capacity and will continue to verify capacity as the heat and load rises. The outbuildings are being constructed.

ACCOUNTING SOFTWARE: The purchase of the Redwing Accounting Software has been put on hold, stated Schook. A meeting with auditors from Clubine and Rettele revealed the City should look into a fund accounting software system. Redwing does not offer any fund accounting software.

NO PARKING ZONE: Schook ask the City to authorize a no parking zone on the east side of D Street from U.S. 36 to the road north of the City's swimming pool due to the construction of the new fire/ambulance building. Jon Snapp, councilman, moved to make a no parking zone on the east side of D Street from U.S. 36 to the road north of the City's swimming pool. Councilwoman Dawn Kramer seconded the motion. Motion carried.

KUHLMAN BUILDING: Schook told the Council he has three interested parties in purchasing the Kuhlman Building. He would like to see it put back on the tax rolls as soon as the fire/ambulance building is constructed.

BUDGET HEARING: Schook informed the Council that a special meeting would need to be called for the 2004 budget.

ASSISTED LIVING FACILITY: Schook told the Council he would meet with the County Commissioners and USD 222 School Board about the assisted living facility.

The City needs to discuss getting power to the assisted living facility. He said the system currently is at its maximum level and that more capacity will be needed to provide power.

Councilwoman Dawn Kramer moved to authorize City Administrator Tim Schook to contact SEGA for an engineering study on the City's electrical distribution system not to exceed \$15,000. Councilman Kevin Williams seconded the motion. Motion carried.

There came on for consideration an Ordinance entitle:

APPROPRIATIONS ORDINANCE NO. 2003-07

“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 12750 through 12828 warrant Check 12695 through 12779 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.

Councilwoman Roxanne Schottel made a motion to adjourn to 7 p.m. Monday, August 4, 2003, at City Hall. Councilman Kevin Williams seconded the motion. Motion carried.