

ADJOURNED MEETING; COUNCIL CHAMBERS; WASHINGTON, KANSAS; DATE: DECEMBER 7, 2004

The Governing Body of the City of Washington, Kansas, met in Adjourned Session in the usual meeting place in said City on Tuesday, the seventh day of December 2004, at 7:00 P.M. with the following members present: Mayor Travis Kier; Council Members Dawn Kramer, Meyler Gibbs, Jon Snapp, Roxanne Schottel and Kevin Williams.

ABSENT: None.

ALSO PRESENT WERE: Paul Monty, City Attorney; Tim Schook, City Administrator; Denise Powell, City Clerk; Bill Hays, Washington County News; Terry Morse, Power Plant Superintendent; Mikel Kline, Sega, Stillwell; and Bill Overbeck, Washington County Sheriff.

Mayor Travis Kier called the meeting to order at 7 p.m.

Copies of the minutes of the previous regular council meeting of Monday, November 1, 2004, were given to the Mayor and each council member for review. Council Member Meyler Gibbs made a motion to accept the minutes as corrected. Council Member Roxanne Schottel seconded the motion. Motion carried.

COUNCIL MEETING NOTES

CABLE TV: There came on for consideration an Ordinance entitled:

ORDINANCE NO. 693

AN ORDINANCE OF THE CITY OF WASHINGTON, KANSAS, GRANTING TO CUNNINGHAM COMMUNICATIONS, INC., ITS SUCCESSORS, LESSEES, AND ASSIGNS, FOR A COMBINED TERM OF FIVE (5) YEARS, THE RIGHT AUTHORITY, POWER AND FRANCHISE TO ESTABLISH, CONSTRUCT, ACQUIRE, MAINTAIN AND OPERATE A CABLE TELEVISION AND CLOSED CIRCUIT ELECTRONIC SYSTEM WITHIN THE CITY OF WASHINGTON, KANSAS, TO RENDER, FURNISH AND SELL CABLE TELEVISION AND CLOSED CIRCUIT ELECTRONIC SERVICE THEREWITH WITHIN THE CITY OF WASHINGTON, KANSAS, AND ENVIRONS THEREOF, AND TO USE AND OCCUPY THE STREETS AND OTHER PUBLIC PLACES OF THE CITY OF WASHINGTON, KANSAS, FOR SUCH CABLE TELEVISION AND CLOSED CIRCUIT ELECTRONIC SYSTEM.

Said Ordinance No. 693 was read in full, considered and discussed, thereupon Council Member Kevin Williams moved for its adoption and Council Member Meyler Gibbs seconded the motion. Thereupon the Mayor declared Ordinance No. 693 duly adopted and passed unanimously by all council members present, and the Mayor directed that said Ordinance No. 693 be published in the Washington County News on Thursday, December 9, 2004 as provided by this Ordinance.

City Administrator Tim Schook gave the Council a copy of a letter from Cunningham Communications thanking the Council for the warm welcome last month and informing the Council rates will be going up \$2.00/Month.

POWER SUPPLY PROPOSAL: Mikel Kline, Sega, presented the council with a draft and price structure for wholesale power supply. Aquila will terminate the contract in Nov. 1, 2007. Kline stated the challenge would be to find a way to provide power to the City cheaper than the City can generate. No action was taken.

SHERIFF CONTRACT: Sheriff Bill Overbeck proposed a reduction in contract hours saving the city \$10,000. Overbeck stated the same service would be provided. Council Member Meyler Gibbs made a motion to have a contract drawn up for 1825 to 2190 hours at a cost not to exceed \$25,000 per year. Councilman Kevin Williams seconded the motion. Motion carried.

Sheriff Overbeck visited about building a jail to house prisoners in Washington. Sheriff Overbeck also stated ATV's should be required to have ATV liability insurance if driven on city streets. Farm or auto liability does not provide coverage for ATV's on streets/roads.

WELCOME SIGN: Council Member Dawn Kramer handed out a copy of the sign design as proposed by Burhart advertising. The price on the vinyl is \$110, cost to put it up \$200 and the time frame is approximately two weeks. Council Member Jon Snapp made a motion to approve the sign as presented. Council Member Roxanne Schottel seconded the motion. Motion carried.

Council Member Dawn Kramer was to check into the cost of putting a changeable banner across the bottom.

KUHLMAN BULDING EASEMENT: A letter sent to City Attorney Paul Monty by Robert Jones stated he wanted the handshake agreement made between Tim Schook, Bill Jones and Mark Rogge honored on the Kuhlman Building easement. A contract has been offered to the Jones' for an easement requiring a \$1 per year payment and liability insurance for the fence that extends partially onto City property. Council Member Dawn Kramer made a motion to have City Attorney Paul Monty have Jones sign the lease within two weeks of notification by City Attorney Paul Monty or begin legal proceeding to get the fence moved. Council Member Kevin Williams seconded the motion. Motion carried.

UTILITY BILLING: Code is not ready for review. No action taken.

FREE HOUSING LOT: City Administrator Tim Schook had a Homestead Act Application for review. City Council Member Jon Snapp stated there should be a nondiscrimination statement put on the application. City Attorney Paul Monty agreed the nondiscrimination statement must be added.

NEIGHBORHOOD REVITALIZATION: City Attorney Paul Monty is to review City Administrator Tim Schook's plan and have a rough draft for review. No action taken.

ZONING: The Council will set a date at the January meeting to review the proposed Zoning Ordinance.

PERSONNEL POLICY: The Council will set a date at the January meeting to begin reviewing the personnel policy.

SNOW REMOVAL POLICY: There came on for consideration an Ordinance entitled:

ORDINANCE NO. 694

AN ORDINANCE RELATING TO PARKING AND OPERATION OF VEHICLES UPON STREETS DESIGNATED AS EMERGENCY SNOW ROUTES WHEN SNOW REMOVAL OPERATIONS ARE NECESSARY, AUTHORIZING THE MAYOR, CITY ADMINISTRATOR, OR THE PRESIDENT OF THE CITY COUNCIL, TO DECLARE A TRAFFIC EMERGENCY AND PRESCRIBING A PENALTY.

Said Ordinance No. 694 was read in full, considered and discussed, thereupon Council Member Meyler Gibbs moved for its adoption and Council Member Jon Snapp seconded the motion. Thereupon the Mayor declared Ordinance No. 694 duly adopted and passed unanimously by all council members present, and Mayor directed that said Ordinance No. 694 be published in the Washington County News on Thursday, December 9, 2004 as provided by the Ordinance.

CURB AND GUTTER PROGRAM: City Administrator Tim Schook stated due to the weather this project will be revisited in the Spring..

SPCC: Power Plant Superintendent Terry Morse is getting cost estimates involved with becoming compliant with the SPCC plan. In July, EPA gave an 18-month extension for implementation of the SPCC. New extension dates are Feb. 17, 2006, for amending the SPCC plan and Aug. 18, 2006 for full compliance.

TRUCKS: Street, Water and Sewer and Waste Superintendent Greg Metz is still looking for a truck with utility bed.

TELEPHONE SERVICE: City Attorney Paul Monty stated he is still researching the issue of franchise fees being charged to providers who use SBC lines.

SIDEWALKS: City Administrator Tim Schook visited with Mike Stegman, USD 222 Superintendent, and the school board is aware of the problem and is looking at ways to remedy it.

PAY RAISES: Council Member Dawn Kramer made a motion to increase the Emergency Medical Technician long haul ambulance rate from \$45 to \$55 and the First Responder long haul ambulance rate from \$40 to \$50. Councilman Jon Snapp seconded the motion. Motion carried. Council Meyler Gibbs abstained.

On motion by Council Member Jon Snapp that the City Council go into executive session for approximately 15 minutes for the purpose to discuss personnel matters of individual non-elected personnel. From 9:10 p.m. to 9:25 p.m. Thereupon Council Member Kevin Williams seconded the motion. Thereupon the motion carried unanimously. On motion by Council Member Dawn Kramer that the council reconvenes to the regular session at 9:25 p.m. Thereupon Council Member Kevin Williams seconded the motion. Motion was declared carried.

On motion by Council Member Kevin Williams that the City Council go into executive session for approximately 15 minutes for the purpose to discuss personnel matters of individual non-elected personnel. From 9:27 p.m. to 9:37 p.m. Thereupon Council Member Meyler Gibbs seconded the motion. Thereupon the motion carried unanimously. On motion by Council Member Kevin Williams that the council reconvenes to the regular session at 9:37 p.m. Thereupon Council Member Meyler Gibbs seconded the motion. Motion was declared carried.

Council Member Jon Snapp moved to increase all employees pay by 2.7% the Cost of Living Adjustment set by Social Security including EMS personnel wages commencing the first pay period in 2005. Council Member Roxanne Schottel seconded the motion. Motion carried. Council Member Meyler Gibbs abstained.

REFUSE CONTRACT: Mayor Travis Kier opened the bids for the 2005 Refuse Contract for trash pick up for the City. Councilman Jon Snapp moved to accept C&M Refuse bid for \$800 and paying one year in advance. Council Member Roxanne Schottel seconded the motion. Motion carried. Council Member Dawn Kramer abstained.

CEREAL MALT BEVERAGE LICENSE: Council Member Meyler Gibbs moved to accept cereal malt beverage applications for 2005 for Gas 'N Shop, Schoen's Market, Kier's Short Stop and Washington Bowl. Council Member Roxanne Schottel seconded the motion. Motion carried.

REFUSE HAULER APPLICATIONS: Council Member Kevin Williams moved to approve the 2005 Refuse Hauler Applications for C&M Refuse Inc.; Jones Trash Service and Durflinger Disposal upon inspection by City Administrator Tim Schook. Council Member Jon Snapp seconded the motion. Motion carried.

PARK: The Washington Lions Club is interested in decorating the City Park at Christmas time with lights and decorations. They would like to make a drive through type of setting and accept free will donations. They would like Council approval before proceeding. The Council gave their blessing.

PARTY: The City Quonset Party will be Friday, Dec. 17.

KANSAS DEPARTMENT OF HUMAN RESOURCES: Tim Schook, City Administrator, told the Council the City Crew has been working on correcting hazards found by the Kansas Department of Labor. Schook stated written programs need to be developed and he plans to have Caroline Yungeberg, Full-time EMT, work on them after the first of the year. He stated they would need Council approval.

K15 & US36 PROJECT: The City has received notice from the Kansas Department of Transportation to proceed with the preliminary engineering services for the K15 & US 36 intersection.

EMERGENCY ACTION PLAN: Street Superintendent Greg Metz will be developing an emergency action plan for the water and sewer system. The City was recently audited by the Kansas Department of Health and Environment and is required to develop a plan.

EQUIPMENT: City Administrator Tim Schook told the Council they will need to look into purchasing a Grasshopper mower in 2005. Schook stated a dump truck is also needed. The City of Chapman has a street sweeper for sale for \$4,000. Council Member Roxanne Schottel moved to authorize the purchase of the street sweeper not to exceed \$4,000. Council Member Kevin Williams seconded the motion. Motion carried.

ROTARY CENTENNIAL PROJECT: The Rotary Club is moving ahead on their Centennial Project. City Administrator Tim Schook would like the Council to consider a roundabout, which would make traffic flow better at the intersection of Third and C Streets.

HOLIDAYS: Christmas and New Year's fall on Saturday which means the City will observe the holiday on the preceding Friday.

FAIR BARN: The Council received a letter from Raymond Bott concerning heat and doors at the fair barn. No action was taken.

There came on for consideration an Ordinance entitled:

APPROPRIATION ORDINANCE NO. 2004-12

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

Thereupon on motion made by Council Member Roxanne Schottel moved for its adoption, that the City Clerk is hereby authorized and directed to issue payroll Check Numbers 1704 through 1757 and warrant Check Numbers 31104 through 31249 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.

ADJOURNMENT: Council Member Meyler Gibbs moved to adjourn to 7 p.m. Monday, December 27. Council Member Roxanne Schottel seconded the motion. Motion carried.