

REGULAR MEETING; COUNCIL CHAMBERS; WASHINGTON, KANSAS; DATE: MARCH 6, 2006

The Governing Body of the City of Washington, Kansas met in Regular Session in the usual meeting place in said City on Monday, the sixth day of March, 2006, at 7:00 P.M. with the following members present: Mayor Travis Kier; Council Members Meyler Gibbs, Dawn Kramer, Jon Snapp and Roxanne Schottel.

Council Member Tom Dragastin arrived at 9:20 p.m.

ALSO PRESENT WERE: City Attorney Paul Monty; City Administrator Tim Schook; City Clerk Denise Powell; Terry Morse, Power Plant Superintendent; Dan Thalman, Washington County News; Jeanette Stamm, Washington; Girl Scout Troop 42 Members Amanda Bryant, Mallory Morton, Megan Stegman, Helen Stigge, Mariah Shockley, Kendra Johnson, Timmie Pinnick; Assistant Leaders Carolyn Pinnick and Vicki Bryant; Dodie Shockley.

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

Xerox Copies of the minutes of the previous regular meeting of Monday, February 6, 2006, and adjourned meeting minutes of Wednesday, February 15, 2006 were given to the Mayor and each Council Member for review. Council Member Meyler Gibbs moved to approve the minutes as written. Council Member Roxanne Schottel seconded the motion. Motion carried.

BIOFUEL: Mayor Travis Kier presented resolution 2006-7, a resolution deeming and declaring the commitment of the City of Washington, Kansas, to E3 Biofuels, L.L.C. for the construction and operation of its ethanol plant and feedlot near Washington, Kansas. Council Member Jon Snapp moved to adopt Resolution 2006-7 with the following amendment, NOW THEREFORE, Be It Resolved that the City of Washington, Kansas, does hereby welcome, encourage and support E3 Biofuels, L.L.C. substantial investment of the closed loop biofuel plant to the community. Council Member Meyler Gibbs seconded the motion. Motion carried.

BIRDHOUSES: Jeanette Stamm, Washington, brought in a bluebird house and asked the Council for permission to place not more than six around the sewer lagoon ponds. Stamm stated she would not drive on the property and would maintain the houses. Council Member Meyler Gibbs made a motion for City Administrator Tim Schook to assist Stamm in the placement of bluebird houses at the sewer lagoon ponds. Council Member Roxanne Schottel seconded the motion. Motion carried.

GIRL SCOUTS: Vicki Bryant and Carolyn Pinnick, assistant leaders of Girl Scout Troop 42 along with members Amanda Bryant, Mallory Morton, Megan Stegman, Helen Stigge, Mariah Shockley, Kendra Johnson and Timmie Pinnick informed the Council they were working on their bronze award. The troop asked for permission to paint the entire fence white at the east ball diamond then draw and paint a mural on the fence this spring. Vicki Bryant stated USD 222 Art Instructor Laura Bott has agreed to assist in the drawing of the mural. The Girl Scouts provided drawings of some of the artwork they would like to be incorporated in the mural. The troop also asked the city to provide the white paint with members of the troop getting donations for the colored paint, brushes and rollers. Council Member Jon Snapp made a motion to supply the white and colored paint for the project of Girl Scout Troop 42. Council Member Dawn Kramer seconded the motion. Motion carried.

INDUSTRIAL SITE: City Administrator Tim Schook stated Fred Gibbs of BG Engineering, Manhattan, stated the surveying for the extension of Industrial Boulevard at the industrial site and setting boundary lines at the old airport and the south line of the Emergency Services Building would take approximately three days and cost would be between \$3,500 and \$4,500. Council Member Meyler Gibbs made a motion for BG Engineering, Manhattan, to survey the extension of Industrial Boulevard at the industrial site and set boundary lines at the old airport and the south line of the Emergency Services Building with cost not to exceed \$4,500. Council Member Jon Snapp seconded the motion. Motion carried.

PROPERTY: City Attorney Paul Monty reported Charles Coleman's trial was held March 6 and he was found guilty of having parked and stored inoperable vehicles upon his premises at 112 West Eighth Street, a violation of Article 5, Section 503 as adopted in Charter VII of the Code of the City of Washington. Coleman was sentenced to 30 days in jail which was suspended with inoperable vehicles to be removed by April 17 or he would be arrested.

KUHLMAN BUILDING: Papers were signed and money was received March 1, 2006 for the sell of the former Kuhlman Motor Company building, 110 East Second. The building was deleted from the city insurance policy as well.

LIBRARY: The library board has asked the Council for increased appropriations. The Council reviewed 2005 revenue and expenses paid by the City out of the library fund. Jim McBeath, library board president, has been out of town and would not have the 2005 library report until the April Council meeting.

WELLS: City Administrator Tim Schook stated he has not set up a meeting with Robert and Marvel Boston who have sent notice stating they would like to renegotiate the well contract.

UTILITY BILLING: The utility billing code was not ready for review, according to Tim Schook, city administrator.

NEIGHBORHOOD REVITALIZATION PLAN: The County has run into some roadblocks on the combined Neighborhood Revitalization Plan, stated City Administrator Tim Schook. Schook stated he will meet with the County Commissioners Monday, March 13. Schook also plans to visit with John Cyr, executive director of North Central Regional Planning Commission. City Attorney Paul Monty stated the County's drafted plan does not apply to housing.

ZONING: City Administrator Tim Schook stated it appears the Council is hesitant on the proposed zoning ordinance. Schook disagrees with this but in essence might be able to implement some of the concerns in City ordinances. Council Members Dawn Kramer and Meyler Gibbs stated they were interested in proceeding with the current proposed zoning ordinance with Council Members Roxanne Schottel and Jon Snapp wishing to proceed on a case by case basis. The Council asked Schook to work with City Attorney Paul Monty on toning down the proposed ordinance.

NIMS: Council Member Roxanne Schottel moved to adopt Resolution 2006-6, a resolution establishing the National Incident Management System known as NIMS as the incident management system to be used for planning, responding, recovery and mitigating from both natural and manmade disasters within the City. Council Member Meyler Gibbs seconded the motion. Motion carried.

INDIVIDUAL COUNCIL MEMBER COMMENTS: None.

PERSONNEL: 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. Council request presence of the Mayor, City Administrator Tim Schook, City Clerk Denise Powell and City Attorney Paul Monty. From 8:07 p.m. to 8:22 p.m. Thereupon Council Member Dawn Kramer seconded the motion. Motion carried. Thereupon the motion carried unanimously.

On motion by Council Member Dawn Kramer that the Council reconvenes to the regular session at 8:22 p.m. Thereupon Council Member Meyler Gibbs seconded the motion. Motion was declared carried.

Council Member Dawn Kramer moved to promote Tim Pinnick to foreman of the street department and adjust his wage to \$12.75 per hour. Council Member Jon Snapp seconded the motion. Motion carried.

ORDINANCE: City Administrator Tim Schook presented Chapter III Beverages of the City Code for review. Schook stated he had City Attorney Paul Monty review the ordinance and there were no new laws in effect. The only thing they may want to address is Sunday sales. Mayor Travis Kier polled the Council and received opposition by Council Members Meyler Gibbs, Roxanne Schottel and Jon Snapp. In favor was Council Member Dawn Kramer. Council Member Tom Dragastin was not present. No action was taken.

BALL PARK CONCESSIONS: Tim Schook, City Administrator, was to check with the school to see if there is an organization that will do summer concessions at the north ball diamond. Pat Parker is also interested in setting up at the north ball field but the school has first option on running the stand. Schook will also check with Lori Cook to see if she is interested in the providing concession at the southeast ball diamond.

PARK CONCESSIONS: Pat Parker will be allowed to set up her sno cone machine somewhere down around the pool this summer. She will be required to purchase the required permit as set forth in ordinance. Electricity will also be made available at a monthly fee and she will be required to police the area for trash.

AMBULANCE: Council Member Roxanne Schottel moved to allow the purchase of a scoop stretcher at \$587.88 and Kendrick Extrication Device at \$91.03 for the ambulance service with money donated to the service by Frontier Lodge 104 AF & AM. Council Member Dawn Kramer seconded the motion. Motion carried.

LEASE: The Council will ask for bids on 17.6 acres of hay ground at the City's cemetery. Bids will be opened at the April 3 Council meeting.

FREE DUMP DAYS: Washington County has set Friday, April 21 and Saturday April 22 as free dump days at the landfill. The Council gave no opposition to City crews providing free pick up for one day only, Friday, April 21.

E3 MEETING: Mayor Travis Kier asked Council Members show their support and attend the informational meeting at 7 p.m. Thursday, March 9 at First National Bank for the E3 Biofuels Washington Project.

EGP: City Administrator Tim Schook again disclosed his association as in the past with the EGP board and their efforts to bring an ethanol plant to town. Schook stated the board is selling out to E3 BioFuels and Schook would not reinvest in the E3 facility or have any financial ties as in the past. He and other EGP board members would continue to assist getting the E3 facility off the ground as per the agreement pertaining to the sale.

HOUSING DEMOLITION: The City has five houses on the demolition list this year. Tim Schook, city administrator, asked the Council if they wished to go out for bids or continue to work with Fred Rogge. The Council approved working with Rogge.

HOUSING: City Administrator Tim Schook stated a housing developer is looking at 11 acres of land owned by Lavern Stigge. However, Stigge wants to sell the total 39 acres of ground rather than just 11 acres. Stigge is asking \$5,000 an acre. Schook stated the City needs to promote housing but is limited on what they can do and they don't want to become a developer. Mayor Travis Kier inquired about the Homestead selling the acres in which they had plant to put an assisted living center and other available possibilities. The Mayor also asked about available grants and other funding. Schook visited with Jon Cyr, executive director of North Central Regional Planning Commissioner, who said there were low interest loans available but not really any grants. No action was taken.

ETHANOL PLANT: Mayor Travis Kier asked the Council to set a time to travel to Meade, Nebraska, and visit with their city government and businesses to get a scope of how the construction of an ethanol plant, similar to what is being proposed to be built near Washington, has affected the community.

POWER PLANT: Council Member Jon Snapp made a motion to approve the bid for a new computer from Dague Computers & Engraving, Washington, at a cost not to exceed \$1,300. Council Member Roxanne Schottel seconded the motion. Motion carried.

ELECTRIC UTILITY: Tim Schook, city administrator, gave a cost of \$6 million to upgrade the electric system and provide electricity to E3 BioFuels, L.L.C. E3 would have to be annexed into the city in order to do so, but having them on board would help lower patrons' utility bills. The cost breakdown of the \$6 million is: power supply to Nebraska \$2,750,000; additional generation \$1,000,000; upgrades to the distribution system \$1,250,000; power to ethanol plant \$1,000,000. Schook said preliminary figures show that with all of these upgrades and designing a rate for the ethanol and soybean plant, all other rates will stay about the same with no fuel adjustment clause if the City chose to go with Norris Public Power out of Nebraska. The City is looking at getting quotes from Aquila/Sunflower and Westar which would require construction of a 115KV line to the point six miles south of Washington with an estimated cost of \$1,500,000. This will be needed due to the fact our current feed does not have the capacity to carry the additional load of the ethanol plant and expected growth.

GRDA: The City went through a study with Kansas Municipal Energy Agency on the purchase of one megawatt of electricity per hour available in the year of 2010 by the Grand River Dam Authority. The final study came back it

would cost the City approximately \$80,000 for a capacitor which was not feasible at this time. The City is still looking at one megawatt of electricity that may be available in 2006.

FERC INTERVENTION: The Aquila cities have filed an intervention through Kansas Municipal Utilities involving the Aquila/Mid Kansas Electric Company buyout. The Aquila cities are awaiting a judgment from the Federal Energy Regulatory Commission.

SEWER: Information is still being gathered on the best way to repair the City's sewer system according to Tim Schook, city administrator.

15/36 PROJECT: City Attorney Paul Monty informed the Council that an appraiser will need to be appointed for the 15/36 project land acquisitions. Council Member Dawn Kramer moved to hire Mark Uhlik as the appraiser for 15/36 project. Council Member Roxanne Schottel seconded the motion. Motion carried.

STREETS: Public Works Director Dave Wilbrant and City Administrator Tim Schook have recently visited about the B Street project and in order to take advantage of any federal funding the total 1.3 million dollars must be spent with only a little better than 50% Federal monies. There is the possibility of doing this at a level the people of Washington and Washington County can afford. The City would replace all the curb and gutter from 36 to College and the County would be responsible for fixing the areas that have base problems and put a 3" to 4" overlay of cold mix from U.S.36 to 18th road. Both entities would work together on repair/replacement of the concrete box culvert at B & College. Schook estimated the city's portion at \$125,000 and done over a period of four to five years. Schook is still looking into how the City would fund this project, possibly landowners paying a portion, state highway loan or local financing.

TIRES: Council Member Meyler Gibbs made a motion to approve the purchase of tires for the gator and chipper truck at a cost not to exceed \$1,200. Council Member Dawn Kramer seconded the motion. Motion carried.

LONG DISTANCE: CGI Long Distance Service has discontinued long distance service as authorized by the United States Bankruptcy Court effective Feb. 13. The City has switched the long distance to ATT and continues to look into other providers.

JOB DESCRIPTIONS/EVALUATIONS: City Administrator Tim Schook has started working on the new software purchased for job descriptions and evaluation forms. He stated he hoped to have them ready for the April council meeting.

PERSONNEL: On motion by Council Member Jon Snapp that the City Council go into executive session for approximately 20 minutes for the purpose to discuss personnel matters of individual non-elected personnel. Council request the presence of Mayor Travis Kier. From 9:45 p.m. to 10:05 p.m. Thereupon Council Member Roxanne Schottel seconded the motion. Thereupon the motion carried unanimously.

On motion by Council Member Dawn Kramer that the Council reconvenes to the regular session at 10:05 p.m. Thereupon Council Member Roxanne Schottel seconded the motion. Motion was declared carried.

On motion by Council Member Dawn Kramer that the City Council go into executive session for approximately 20 minutes for the purpose to discuss personnel matters of individual non-elected personnel. Council requests the presence of Mayor Travis Kier. From 10:10 p.m. to 10:30 p.m. Thereupon Council Member Roxanne Schottel seconded the motion. Thereupon the motion carried unanimously.

On motion by Council Member Roxanne Schottel that the Council reconvenes to the regular session at 10:30 p.m. Thereupon Council Member Tom Dragastin seconded the motion. Motion was declared carried.

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. Council requests the presence of Mayor Travis Kier. From 10:35 p.m. to 10:50 p.m. Thereupon Council Member Roxanne Schottel seconded the motion. Thereupon the motion carried unanimously.

On motion by Council Member Dawn Kramer that the Council reconvenes to the regular session at 10:50 p.m. Thereupon Council Member Roxanne Schottel seconded the motion. Motion was declared carried.

Council Member Roxanne Schottel made a motion to place a written reprimand in City Administrator Tim Schook's personnel records on violation of the City's Personnel Policy Article 3 Section M concerning his recent accident with a City owned vehicle. Council Member Tom Dragastin seconded the motion. Motion carried.

APPROPRIATION ORDINANCE NO. 2006-3

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

Thereupon on motion made by Council Member Meyler Gibbs moved for its adoption, that the City Clerk is hereby authorized and directed to issue payroll Check Numbers 2597 through 2667 and warrant Check Numbers 32672 through 32780 in payment of just bills and claims against the City and debit the appropriate fund for each expenditure. Thereupon Council Tom Dragastin seconded the motion. Thereupon the motion carried.

ADJOURNMENT: Council Member Meyler Gibbs made a motion to adjourn to 7 p.m. Thursday, March 9, 2006, at First National Bank, Washington. Council Member Jon Snapp seconded the motion. Motion carried.