

REGULAR MEETING, COUNCIL CHAMBERS; WASHINGTON, KANSAS; DATE: AUGUST 7, 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 seventh day of August, 2006, at 7:00 P.M. with the following members present: Mayor Travis Kier, and Council Members Roxanne Schottel, Jon Snapp, Tom Dragastin, Dawn Kramer and Meyler Gibbs.

Absent: None.

Also present were City Administrator Tim Schook; City Attorney Paul Monty; City Clerk Denise Powell; Bill Hays, Washington County News; Deb Nutsch, loan clerk First National Bank of Washington; Tom Arpin, BG Consultants, Inc.; Dan Thalman and Caroline Yungeberg, pool committee; B.J. Smart, Washington; Brad and Donna Portenier, Bradford Built; and Chris L'Ecuyer, Washington County Business Coordinator.

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

Xerox Copies of the minutes of the previous regular meeting of Monday, July 3, 2006, and special meeting minutes of Monday, July 10, 2006, were given to the Mayor and each Council member for review. Council Member Meyler Gibbs made a motion to approve the minutes of July 3 meeting as amended to correct the meeting date in the first paragraph to be July 3, 2006, rather than June 5, 2006, and also to approve the special meeting minutes of July 10, 2006. Council Member Tom Dragastin seconded the motion. Motion carried.

THANK YOU: Mayor Travis Kier read a thank you from KSDS, Washington, for use of the park during their Dog Daze of Summer event.

BUDGET HEARING: There came on for consideration at this scheduled Public Hearing for the City's proposed budget for the year 2007 total expenditures not to exceed \$4,192,509 including transfers and ad valorem tax levy of \$185,317 a mill levy of 45.638. There being no oral or written objections, Council Member Dawn Kramer moved to adopt and approve the 2007 City of Washington budget as published in the official city newspaper, The Washington County News, July 27, 2006. Council Member Tom Dragastin seconded the motion. Motion carried.

POOL COMMITTEE: Dan Thalman and Caroline Yungeberg, members of the pool committee, asked the Council for budget authority for preliminary needs to explore the possibility of a new pool. Thalman asked the Council for a budget of \$10,000 for preliminary drawings and architectural fees. Thalman stated the committee had met with Tom Arpin, architect with BG Consultants, Inc. and was looking for a water feature recreational area. Arpin handed out an architectural proposal for an aquatic facility and literature on other pools he has been involved with. Arpin stated the existing pool was originally built in 1955 and extensive repairs were done in 1992. A new pool would last 30-40 years according to Arpin. Arpin stated if BG Consultant's were hired for preliminary engineering the maximum amount for fees would be \$9,400. Thalman says the committee wants to keep the project as community driven as possible and providing a budget would be a commitment to recreation and families. Council Member Meyler Gibbs made a motion to approve a budget of not more than \$9,400. Council Member Jon Snapp seconded the motion. Motion carried.

EXPANSION PROJECT: Brad and Donna Portenier of Bradford Built met with the Council about an expansion project.

On motion by Council Member Meyler Gibbs that the City Council go into executive session for approximately 30 minutes for the purpose to discuss confidential data relating to financial affairs. From 7:45 p.m. to 8:15 p.m. Invited to executive session were Mayor Travis Kier, B.J. Smart, Chris L'Ecuyer, City Attorney Paul Monty, City Administrator Tim Schook and City Clerk Denise Powell. Thereupon Council Member Dawn Kramer seconded the motion. Thereupon the motion carried unanimously.

On motion by Council Member Tom Dragastin that the Council reconvenes to the regular session at 8:15 p.m. Thereupon Council Member Meyler Gibbs seconded the motion. Motion carried.

FALL FEST: Deb Nutsch, loan clerk with First National Bank, inquired about the temporary beer license for the Fall Fest September 16, 2006, organized by First National Bank. Nutsch also asked for permission to have the grassy area on the north side of City Hall fenced in for the beer garden. City Attorney Paul Monty stated all that was

needed is to complete an application for the temporary sale of beer along with the \$75 fee for Council approval. Monty also said old City Hall rent would be \$50 along with the \$100 deposit. The Council agreed.

WELL CONTRACT: Council Member Meyler Gibbs made a motion to offer a contract to Robert and Marvel Boston for \$3,000 per year to maintain the three water wells and one aeration facility located upon their property. Council Member Tom Dragastin seconded the motion. Motion carried.

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

ZONING: City Administrator Tim Schook stated he toned down the zoning ordinance and has given a copy to City Attorney Paul Monty for review. Schook stated they were getting a copy of Belleville's zoning ordinance for comparison.

SEWER: City Administrator Tim Schook said there are three options for sewer lift station: repair the valves and pump at a cost of \$20-25,000; replace with a submersible pump or replace with a recessed pump. Schook is still exploring the best option. Schook also stated a sewer fund \$100,000 certificate of deposit has been cashed and put in the money market account until cost for repair could be determined.

With the debt service of the sewer department, operating cost going up and actual administrative services being charged to sewer it ends up losing money said Tim Schook, city administrator. This needs to be addressed due to the increased maintenance and operating cost that we are starting to face.

15/36 PROJECT: On motion by Council Member Jon Snapp that the City Council go into executive session for approximately 15 minutes for the purpose of attorney client information relating to land acquisition. From 8:34 p.m. to 8:49 p.m. Invited to executive session were City Attorney Paul Monty, City Administrator Tim Schook; Mayor Travis Kier, City Clerk Denise Powell. Thereupon Council Member Meyler Gibbs seconded the motion. Thereupon the motion carried unanimously.

On motion by Council member Dawn Kramer that the Council reconvenes to the regular session at 8:49 p.m. Thereupon Council Member Jon Snapp seconded the motion. Motion carried.

HISTORICAL SOCIETY: City Attorney Paul Monty drew up Ordinance No. 701 pertaining to the location of the Emmons School House to be located on the southeast corner of Ballard Street. There came on for consideration an Ordinance entitled:

ORDINANCE NO. 701

AN ORDINANCE AMENDING ORDINANCE NO. 405 OF THE CITY OF WASHINGTON, KANSAS, PRESCRIBING FIRE LIMITS AND RELATING TO EXCEPTIONS TO THE LOCATION OF CERTAIN BUILDINGS WITHIN THE FIRE LIMITS PRESCRIBED IN ORDINANCE NO. 405 FROM THE REQUIREMENTS FOR BUILDING LOCATED WITHIN THE FIRE LIMITS AS SET FORTH IN ORDINANCE NO. 405,

said Ordinance No. 701 was read in full, considered and discussed, thereupon Council Member Jon Snapp moved for its adoption and Council Member Tom Dragastin seconded the motion. Thereupon the Mayor declared Ordinance No. 701 be published in the Washington County News on Thursday, August 10, 2006, as provided by this Ordinance.

KANCAP: Council Member Dawn Kramer gave an overview of the KanCap program. Kramer stated eighty percent of the Council must be certified to benefit the City. The only benefit other than knowledge would be a tie-breaking vote through the revolving loan program.

MOSQUITOES: Tim Schook, city administrator, told the Council it would cost \$500 per application to spray for mosquitoes. He also noted the chemical does not have any residual effect and only kills mosquitoes upon contact. No action was taken.

COLEMAN PROPERTY: City Attorney Paul Monty said the City has a judgment by court order against Chuck Coleman for a 30 day jail sentence for not removing inoperable vehicles from his property. The Council stated to enforce the court order. City Administrator Tim Schook informed the Council he has also filed a complaint for blighted property and they have not complied. Monty said the City needs to change its ordinance on blighted property to more clearly state how much time will be allowed to clear up offenses.

INDIVIDUAL COUNCIL MEMBER COMMENTS: Council Member Meyler Gibbs asked that payroll reports be condensed. City Clerk Denise Powell will comply.

SUNDAY LIQUOR SALES: Council Member Dawn Kramer made a motion directing City Attorney Paul Monty to draw up an ordinance allowing Sunday sales of Cereal Malt Beverage. Council Member Tom Dragastin seconded the motion. Motion carried 4-1 with Roxanne Schottel dissenting.

LIBRARY: The Council asked City Attorney Paul Monty to work on a charter ordinance to increase the mill levy for the library.

MAJOR PROJECTS: City Administrator Tim Schook gave the Council a major project list. Some of the projects on the list are currently in progress. Projects include the widening of 15/36 intersection, Highway 36 from 15 to D Street; widen entrances to industrial park; new city shop; milling and rebuilding streets; sidewalk program; curb and gutter program; long term fix to library funding; electrical distribution system upgrades; new roofs on rock buildings; new swimming pool; and Second and Third Street bridges.

ROBERTS RULES OF ORDER MEETING: Tim Schook, city administrator, stated the League of Kansas Municipalities has developed a model set of meeting rules for governing bodies in Kansas. These strategies are designed to help yield effective and efficient meetings and get over some of the conflicts with Roberts Rules of Order. Schook asked if Council Members were interested. No action taken.

USI INDUSTRIAL SERVICES, INC.: Information about USI Industrial Services, Inc. was enclosed in Council packets. City Administrator Tim Schook said he originally visited with them about automatic meter reading however there are several other services available including broadband internet, voice over internet and security camera systems. Schook was to look into having a study done at no cost to the City.

BUSINESS COORDINATOR: City Administrator Tim Schook introduced Chris L'Ecuyer who has been hired as business coordinator by Washington County.

EGP: City Administrator Tim Schook reported that Mayor Travis Kier and he have met with Brian Barber from E3 BioFuels. It appears that EGP and E3 have split due to not being able to negotiate a reasonable price on additional ground.

E3 BioFuels is still interested in locating in the area and has given the City a list of criteria for potential sites for the project.

City Administrator Tim Schook noted Bekemeyers are looking at another party interested in putting a plant on the original site. Mayor Travis Kier said he spoke with the Bekemeyers who stated they should have a decision two weeks from today, Aug. 7, 2006. Council members asked whether Bekemeyers request was on behalf of themselves or EGP. Kier was uncertain and was to find out.

Council members directed City Administrator Tim Schook to compose the criteria set forth by E3 BioFuels for consideration in their search and submit it after August 21.

ACADEMY: Tim Schook, city administrator, said he will be attending a three-day Community Development Academy along with Christy L'Ecuyer, Washington County Booster coordinator, and members of the Washington County Development Corporation September 14, 21 and October 5th at Kansas Farm Bureau Headquarters in Manhattan. Schook invited the Council to attend.

ELECTRIC: The Council gave City Administrator Tim Schook permission to have a new utility rate study done through Kansas Municipal Energy Agency. Schook said options to consider were increasing rates to all customers with higher rate to those outside the city limits; closing the power plant; and decrease power plant employees.

Schook informed the Council there are some residential electric customers with meters that are not able to be read due to dogs. Schook notified the resident to have the fence or meter moved or the City will be forced to disconnect service.

KMEA tolling project has worked well according to Schook with a savings of approximately \$20 per curtailment megawatt hour in June. It may not be as good in July, but August and September look a lot better. The fuel adjustment from Aquila has moved upward due to Jeffery Energy Center being placed on coal conservation.

The next step into this new world of electric energy will be to start the Energy Management Project (EMP) through KMEA. The first step for the cities will be to meet with Sunflower and make decisions on metering. The new regulations will require qualified metering to be in place. Unfortunately the City of Washington is probably in the worst position with this mainly due to communication problems that Aquila has never installed. Cost on all this will be expensive and necessary according to Lance Boyd who heads up the EMP through KMEA.

Terry Morse, power plant superintendent and Tim Schook, city administrator, will attend a FERC intervention meeting Aug. 15. Action items are transmission constraints and the ability to get electricity from different sources in the competitive market; assistance in the cost of metering; and working with the newly formed EMP project.

WATER: As homeland security mandates start to come down cost will rise dramatically. A rate increase and tap charges might need implemented to combat these issues. Issues supporting the increase include increased operating cost; 50 year old main line coming from the wells; increased security systems at the wells and water plant; well number three pump replacement; new electric controls at the water plant; SCADA system; water valve maintenance program; fire hydrant maintenance program and growth of the City.

FRANCHISE FEES: AT&T is pushing to have franchise agreements with all the other phone carriers who provide phone service to customers within the City according to City Administrator Tim Schook. The City should charge a processing fee to cover cost of contract work. Council Member Jon Snapp stated if this needs to be done than we should proceed.

ANIMAL CONTROL: City Administrator Tim Schook resigned as animal control officer effective July 22, 2006.

EMS: Tim Schook, city administrator, informed the Council there is a shortage of daytime EMT's

APPROPRIATION ORDINANCE NO. 2006-8

“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 2918 through 2984 and warrant Check Numbers 33154 through 33233 in payment of just bills and claims against the City and debit the appropriate fund for each expenditure. Thereupon Council Meyler Gibbs seconded the motion. Thereupon the motion carried.

ADJOURNMENT: Council Member Roxanne Schottel made a motion to adjourn. Council Member Jon Snapp seconded the motion. Motion carried.