

REGULAR MEETING, COUNCIL CHAMBERS; WASHINGTON, KANSAS; DATE: MAY 5, 2008

The Governing Body of the City of Washington, Kansas, met in Regular Session in the usual meeting place in said City on Monday, the fifth day of May, 2008, at 7:00 P.M. with the following members present: Council Members Randy Wyatt, Tom Dragastin, Meyler Gibbs, Justin Cordry and Gene Martin.

Not present: Mayor Harold H. Jones Jr.

Also present were City Clerk Denise Powell; Jason Brinegar, Galloway, Wieggers & Brinegar; John Gaines, Washington; Jay and Dana Kern, Washington; Emily Larsen, Washington; Kathy Jensen, Washington.

President of the Council Meyler Gibbs called the meeting to order at 7 p.m.

Xerox copies of the minutes of the previous regular meeting of Monday, April 7, special meeting minutes of Thursday, April 17, 2008 adjourned meeting minutes of Monday, April 21, 2008; Monday, April 28, 2008 and Tuesday, April 29, 2008, were given to each Council Member for review. Council Member Justin Cordry moved to approve the minutes as written. Council Member Gene Martin seconded the motion. Motion carried.

APPROPRIATION ORDINANCE NO. 2008-05

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

Thereupon on motion made by Council Member Randy Wyatt moved for its adoption, that the City Clerk is hereby authorized and directed to issue payroll Check Numbers 4156 through 4208; warrant Check Numbers 34981 through 35063; and Wires -53 through -54 in payment of just bills and claims against the City and debit the appropriate fund for each expenditure. Thereupon Council Member Gene Martin seconded the motion. Thereupon the motion carried.

15/36 PROJECT: John Gaines, Washington, gave the Council an update on the movement of his house. Midwest Products is to begin digging and pouring the basement the week of May 12. Gaines stated it should be done by the end of May and will cure the month of June. The house will be prepared to be moved in June. Gaines stated he met with former City Administrator Tim Schook concerning utilities before his departure. Gaines said Schook committed the City to filling in the old basement and hauling excess dirt away.

City Attorney Jason Brinegar stated the Gaines deed has been acquired. Walther’s is pending Chapter 13 bankruptcy. Brinegar will work with Mike Munson, a lawyer from Topeka, to acquire the Walther’s deed. The deed will have to come from the trustee of bankruptcy court. Brinegar stated his goal was to have this done by October 1, 2008. Tom Bennett, BG Engineering, has determined the City doesn’t need to acquire the land from Vernon Tegethoff, only a temporary easement

PROPERTY: Jay and Dana Kern offered the Council \$500 for a lot located on the corner of West Fourth and E Street. Council Member Gene Martin made a motion to accept Kern’s \$500 offer and to deed lot one (1) except the south seventy-one (71) feet of said lot one (1), and the east two (2) feet of lot two (2), except the south seventy-one (71) feet of the east two (2) feet of said lot two (2), all in Block 30, in the City of Washington, Washington County, Kansas, with the buyers to accept all transfer cost. Council Member Tom Dragastin seconded the motion. Motion carried.

VICIOUS ANIMAL: Emily Larsen and Kathy Jensen visited with the Council about a vicious dog incident concerning Larsen’s two dogs. Larsen stated they are very sorry about the incident and are prepared to face the consequences. Larsen stated she didn’t think they were given a chance to plead case. City Attorney Jason Brinegar stated Larsen was correct in stating she didn’t have a chance to plead case. Brinegar stated it was a criminal court issue and the judge would have to decide the fate. Washington Vet Clinic was going to evaluate the dog.

Council Member Justin Cordry would like to review the animal ordinance to discuss the definition of vicious dogs.

ZONING: City Attorney Jason Brinegar stated he will have a zoning proposal for the October or November Council meeting.

SEWER: Council Members asked that Pat Cox, BG Engineering, be contacted for an update on the financing of the sewer lift station. Also discussed was relining sewer lines on west Fourth Street and west College Street. Greg Metz, street superintendent, and Tom Zabokrtsky, water and wastewater, gave the Council two bids from contractors for relining. Cox stated the City needs to camera and clean the lines to determine whether they can be lined or if replacement will be necessary.

DISASTER PLAN: The City will encompass the County's disaster plan once it is updated.

PUBLIC BUILDING COMMISSION: There came on for consideration an Ordinance entitled:

ORDINANCE NO. 723

AN ORDINANCE AMENDING ORDINANCE NO. 622 OF THE CITY OF WASHINGTON, KANSAS WHICH RELATES TO THE CREATION OF THE WASHINGTON PUBLIC BUILDING COMMISSION

said Ordinance No. 723 was read in full, considered and discussed, thereupon Council Member Justin Cordry moved for its adoption and Council Member Randy Wyatt seconded the motion. Thereupon the Mayor declared Ordinance No. 723 duly adopted and passed unanimously by all Council Members present, and the Mayor directed that said Ordinance No. 723 be published in the Washington County News on Thursday, May 15, 2008, as provided by the Ordinance.

B STREET PROJECT: The Council reviewed a loan amortization analysis on the B Street Project from BG Consultants. Council discussed payment on their portion of the project.

KMGA: Council Member Randy Wyatt made a motion to appoint Electric Production Superintendent Mary Leck to fill the unexpired term of Tim Schook which expires August 31, 2009, to the Board of Directors of the Kansas Municipal Gas Agency. Council Member Tom Dragastin seconded the motion. Motion carried.

FEMA: City Clerk Denise Powell received a check of \$20,770.87 from FEMA for the electric portion of the grant from storm damage which was deposited in the electric fund.

STREET TREES: City Attorney Jason Brinegar is to mail a letter to resident Bill Mallean for being in violation to Ordinance 545.

HEALTH INSURANCE: Council Member Justin Cordry made a motion to allow Power Plant Operator Dennis Stigge to enroll in the city's health insurance plan due to a change in his spouse's coverage. Council Member Randy Wyatt seconded the motion. Motion carried.

MAYOR'S APPOINTMENTS: Tabled until June.

PROCUREMENT POLICY: The City's procurement policy was reviewed.

WASHINGTON COUNTY HOSPITAL: Council Member Tom Dragastin made a motion to endorse the Washington County Hospital's application for tax credits. Council Member Randy Wyatt seconded the motion. Motion carried.

POOL: Council Member Gene Martin made a motion to allow a \$20 pass for water aerobics class participants. Council Member Randy Wyatt seconded the motion. Motion carried. Council Member Tom Dragastin abstained.

REQUEST FOR EXTENSION: Glen Kellogg has asked for an extension of 1-2 months to remove a porch at 218 West Second Street. Jim Dodds, standard hearing officer, is to inspect the property and determine action to be taken.

PROPERTY: City Attorney Jason Brinegar is to send a letter to John Metz asking him to remove some personal property currently being stored in a city building.

SUPERINTENDENTS: Council Member Tom Dragastin moved to purchase a controller and switches to regulate voltage at the industrial park as per a request from Barry Finlayson, electric distribution superintendent. Council Member Justin Cordry seconded the motion. Motion carried.

INDIVIDUAL COUNCIL MEMBER COMMENTS: Council Member Gene Martin asked that the policy on rental of the rock building at the fairgrounds be changed to disallow animal auctions. Council Member Randy Wyatt asked who visited with the fire department about the change in parade route. Council Member Justin Cordry asked for an update concerning sirens in the June's council packet.

LEASE: Council Member Justin Cordry moved to approve a lease agreement between the City and Tim Pinnick on ground formerly known as the old airport. Council Member Gene Martin seconded the motion. Motion carried.

Council Member Randy Wyatt moved to approve a contract with Keesecker Agri-Business for irrigating from the lagoons. Council Member Tom Dragastin seconded the motion. Motion carried.

WORK COMP: Meyler Gibbs, EMT, twisted his knee while responding to a call Feb. 13, 2008, and will require surgery.

LIBRARY: Council Member Randy Wyatt moved to approve a quote from Washington Roofing in the amount of \$5,500 for material and labor to repair the library roof. Council member Justin Cordry seconded the motion. Motion carried.

COMPREHENSIVE TRANSPORTATION PLAN: City Attorney Jason Brinegar is to draw up a resolution for the Comprehensive Transportation Program. A sample was provided from the League of Kansas Municipalities.

SEEDING: Council Member Randy Wyatt moved to approve a bid from Keith Balthazor in the amount of \$325 to level and reseed properties at 204 East Second and Bruna Implement Company. Council Member Tom Dragastin seconded the motion. Motion carried.

WIND GENERATION: Letters were to be mailed to Herra Machine and Keith Balthazor to complete an application and application fee as per Ordinance 722 for electrical interconnection standards, procedures, agreements, charges and fees.

EXECUTIVE SESSION: On motion by Council Member Randy Wyatt that the City Council goes into executive session for approximately 20 minutes to discuss non-elected personnel. From 10:30 p.m. to 10:50 p.m. Thereupon Council Member Justin Cordry seconded the motion. Thereupon the motion carried unanimously.

On motion by Council Member Gene Marin that the Council reconvenes to the regular session at 10:50 p.m. Thereupon Council Member Randy Wyatt seconded the motion. Motion was declared carried.

On motion by Council Member Justin Cordry that the City Council goes into executive session for approximately 20 minutes to discuss non-elected personnel. From 10:55 p.m. to 11:15 p.m. Thereupon Council Member Tom Dragastin seconded the motion. Thereupon the motion carried unanimously.

On motion by Council Member Tom Dragastin that the Council reconvenes to the regular session at 11:15 p.m. Thereupon Council Member Justin Cordry seconded the motion. Motion was declared carried.

On motion by Council Member Tom Dragastin that the City Council goes into executive session for approximately 10 minutes to discuss non-elected personnel. From 11:20 p.m. to 11:30 p.m. Thereupon Council Member Justin Cordry seconded the motion. Thereupon the motion carried unanimously.

On motion by Council Member Randy Wyatt that the Council reconvenes to the regular session at 11:30 p.m. Thereupon Council Member Justin Cordry seconded the motion. Motion was declared carried.

No action taken.

ADJOURNMENT: Council Member Tom Dragastin moved to adjourn. Council Member Gene Martin seconded the motion. Motion carried.