WASHINGTON CITY COUNCIL MINUTES  
Regular Meeting  
May 6, 2013

1. Call to order by Mayor.
   Mayor Ryan Kern called the meeting to order at 6:30 p.m.

2. Roll Call.
   Present:  Ryan Kern, Mayor  
             Meyler Gibbs  
             Gene Martin  
             Roxanne Schottel  
             Michael Uhlrich  
             Don Imhoff  
             Jim Dodds  
   Absent:  
   Staff Present:  Denise Powell, City Clerk  
                   Charles Votipka, Public Works Superintendent  
                   Caroline Scovi-lle, Fulltime EMT  
   Others:  Chris Pannbacker, Washington County News  
            Brad and Donna Portenier, Washington  
            Dustin Bonar, Washington  
            Rebeccca Holsch, president, Washington Chamber of Commerce  
            Emily Rippe, vice president, Washington Chamber of Commerce  
            Jeremiah and Nicole Johnson, Washington

3. Citizens Comments.
   None.

4. Minutes.
   Motion to approve the minutes of the regular meeting of April 1, 2013, by Gibbs and seconded by Uhlrich.
   Vote:  Ayes:  Meyler Gibbs  
          Gene Martin  
          Roxanne Schottel  
          Michael Uhlrich

5. Swearing In of Council Members.
   Jim Dodds and Don Imhoff were sworn in as council members by City Clerk Denise Powell.

6. President of Council.
   Motion to elect Gene Martin as president of the council by Schottel and second by Imhoff.
   Vote:  Ayes:  Jim Dodds  
          Don Imhoff  
          Gene Martin  
          Roxanne Schottel

7. 2013 Mayoral Appointments.
   Motion to approve the 2013 Mayoral Appointments as presented by Mayor Ryan W. Kern by Dodds and seconded by Imhoff.
As part of the appointments the Mayor appointed Melanie Bryant to Ryan Kern’s unexpired term as Council Member through April 30, 2017.

8. **Appropriations Ordinance 2013-05.**
Motion to approve appropriations ordinance 2013-05 by Martin and seconded by Schottel.

9. **Attorney Report.**
City Attorney Elizabeth Hiltgen was unable to attend the meeting.

   a) **Green River Ordinance.**
   Discussed the Green River Ordinance. Council would like a written opinion of the ordinance and what it allows and prohibits.

   b) **Ordinance 768.**
   Motion to adopt Ordinance No. 768, an ordinance amending certain sections of Article 1 of Chapter 17 and incorporating section 17-116 regarding landlord liability of utility services, by Schottel and seconded by Martin.

10. **Chamber of Commerce Request.**
Motion to donate $500 to the Chamber of Commerce fireworks display July 4, 2013, to be paid out of the general fund by Martin and seconded by Schottel.

Motion to allow the Chamber of Commerce to set up a circus on the west side of the large ball diamond September 4, 2013, and provide water at no charge to the circus as long as the circus provides proof of liability insurance prior to the performance to the City Clerk by Schottel and seconded by Dodds.
Motion to waive the deposit and rental fee for the south rock building to the Chamber of Commerce for Sept. 19-22, 2013, for vendors during the U.S. 36 Treasure Hunt contingent upon the City retaining control of the building by Schottel and seconded by Imhoff.

Vote: Ayes: Jim Dodds
Don Imhoff
Gene Martin
Roxanne Schottel

11. Dustin Bonar Request.
Motion to adjust the sewer rate from $94.84 to $35.80 from May 2013 to April 2014 but leave the water bill as is for Dustin and Stephanie Bonar’s utility account by Imhoff and seconded by Schottel.

Vote: Ayes: Jim Dodds
Don Imhoff
Gene Martin
Roxanne Schottel

Bonar had a water leak over the winter which has been repaired.

Jeremiah and Nicole Johnson discussed being charged commercial rate for utilities at 223 C Street. Johnson stated he is not operating a business out of that building and his only income was from Ebay. There is an apartment in the back of the building.

Property owner Anthony Stamm recently combined all the electric utilities into one meter. Council suggested that Johnson visit with his landlord about separating the utilities.

13. Portenier Request.
a) Brad and Donna Portenier visited the Council concerning their recent request to deviate from Ordinance No. 405 and place Maxi-Tile on the front exterior wall. Portenier presented a letter from Cal Rulz, technical support representative of Maxi-Tile, stating the product is not approved by anyone as a fire barrier.

The Council previously asked that Portenier obtain a letter from the State Fire Marshall or from an engineer approving Maxi-Tile as a substitute to what is outlined in Ordinance No. 405.

Brad Portenier stated in 1947 there weren’t the materials there are today and what he is doing will be safe and compliant.

Council directed staff to look into updating the fire code.

b) Motion to accept the quote from Kriz Davis of $1,970.50 to upgrade the electric tie at industrial park by Martin second by Schottel.

Vote: Ayes: Jim Dodds
Don Imhoff
Gene Martin
Roxanne Schottel

Brad Portenier recently spoke with staff about expansion at his business. He is purchasing two new pieces of laser equipment. The primary wire size that currently feeds Bradford Built and Earthmover’s is #2. With the increased demand Portenier asked that the wire size be upgraded to 4/0 ACSR.

Portenier stated he has also purchased the former BioPack building at 1827 Wilson Drive.

c) There is a guy wire behind the former Duckwall’s building that runs across C Street behind the Doll House. Portenier would like the guy wire taken down as it rubs the new roof line.
The plan is to put a corner post behind the Doll House. Portenier has agreed to make the brackets to cradle a support pole.

Council asked staff to make a work order to complete the work.

14. **Fire Department Officers.**
Motion to approve appointments as presented by Mayor Ryan Kern for 2013 Fire Department Officers of the City of Washington Fire Department and RFD #9 as presented by vote of fire department members by Imhoff and seconded by Martin.

   **Vote:**  **Ayes:**  
   Jim Dodds  
   Don Imhoff  
   Gene Martin  
   Roxanne Schottel

The Local Emergency Planning Commission asked for a representative from the Council to sit on the committee. Council asked for additional information of what LEPC does, meeting dates and times to be presented at the June Council meeting.

15. **FNB Fall Fest Request.**
Motion to waive the deposit and fees for table & bench rental for First National Bank for their annual Fall Fest Event by Schottel and seconded by Imhoff.

   **Vote:**  **Ayes:**  
   Jim Dodds  
   Don Imhoff  
   Gene Martin  
   Roxanne Schottel

Motion to approve the Loudspeaker/Sound Amplifier permit and the Street Use permit applications from First National Bank for September 21, 2013 by Schottel and seconded by Martin.

   **Vote:**  **Ayes:**  
   Jim Dodds  
   Don Imhoff  
   Gene Martin  
   Roxanne Schottel

16. **Ball Diamond Concession Stand.**
Motion to approve the contract with Lori Cook for ball diamond concessions as presented by Martin and seconded by Dodds.

   **Vote:**  **Ayes:**  
   Jim Dodds  
   Don Imhoff  
   Gene Martin  
   Roxanne Schottel

17. **Executive Session.**
Motion to enter into executive session to discuss non-elected personnel for a period of 10 minutes at 8:50 p.m. to include mayor and council members by Dodds and seconded by Martin.

   **Vote:**  **Ayes:**  
   Jim Dodds  
   Don Imhoff  
   Gene Martin  
   Roxanne Schottel

  Motion to return to open session at 9:00 p.m. by Schottel and seconded by Imhoff.

   **Vote:**  **Ayes:**  
   Jim Dodds  
   Don Imhoff  
   Gene Martin  
   Roxanne Schottel
Motion to enter into executive session to discuss non-elected personnel for a period of 10 minutes at 9:01 p.m. to include mayor and council members and Charles Votipka by Dodds and seconded by Martin.

Vote: Ayes: Jim Dodds
Don Imhoff
Gene Martin
Roxanne Schottel

Motion to return to open session at 9:11 p.m. by Imhoff and seconded by Schottel.

Vote: Ayes: Jim Dodds
Don Imhoff
Gene Martin
Roxanne Schottel


a) JD Loader 444C. The John Deere loader has been repaired at a cost of $2,707.84 by Ohlde Tractor. Ohlde’s replaced seals in the transmission hydraulic pump, steer cylinder, two hydraulic lines, filters and fluid.

b) Stage 2 DBPR Compliance Monitoring Plan. Water/Wastewater Operator Dennis Stigge recently attended the Stage 2 DBPR Compliance Monitoring workshop April 16 at Mayetta and and completed with help from KDHE and Kansas Rural Water the Stage 2 DBPR Compliance Monitoring Plan. The City was required to develop a Stage 2 DBPR Compliance Monitoring Plan by Oct. 1, 2013.

c) College Street tube. Staff will open a drainage ditch tube at 316 East College Street. Once the tube is opened and ditch cleaned rock will be added to the road surface.

d) Cold Mix. Staff is currently out of cold mix and unable to fill potholes. Staff contacted Hall Brothers, Marysville, who is unsure of when they will be mixing cold mix and also High Plains, Kanopolis, which has some on the ground at $92 per ton delivered or $72 per ton picked up.

Council directed staff to check with Washington, Republic and Clay County to see if they had any excess they would sell.

Staff is to pursue bids for cold mix, oil and armour coat to seal city streets. Golf course and USD 108 are also requesting sealing be done.

e) Pump #3, City Wells. Pump three is still tripping at the city’s water wells. City Clerk Denise Powell spoke with Mark Johnson, Pure Energy, Monday, May 6, who stated he believes it is an issue with the overload sensor. He says it should be a warranty issue.

Charles Votipka stated Robert Blume, who works with Kansas Rural Water, is an electrician consultant. Council said to get a cost quote from Blume and if Johnson is unable to determine and repair the problem they would consider hiring Blume.

f) Degreaser. Motion to purchase 10 gallons of liquid degreaser from Hawkins not to exceed $240 to be used at the park lift station and the main sewer lift station to get rid of fats, oils and grease build up by Schottel and seconded by Dodds.

Vote: Ayes: Jim Dodds
Don Imhoff
Gene Martin
Roxanne Schottel

Staff received quotes from Hawkins at $120 per five gallons and Lawson Products at $219.84 per five gallons.
g) **Cemetery Shed.** Auditor Jay Langley, City Attorney Elizabeth Hiltgen, Mayor Ryan Kern and City Clerk Denise Powell recently visited about the cemetery perpetual care fund and how the funds may be spent. Langley stated only the interest can be spent for maintenance.

The Council stated to budget in 2014 to put tin on the shed at the cemetery. Approximate cost today is $1,178.32.

19. **Caroline Scoville Request.**

Motion to match Washington County’s $1,000 towards the cost of classes, if the county would go along with a private venture for Caroline Scoville, to become an instructor coordinator and training officer two to train EMS personnel if accepted into the program by Imhoff and seconded by Martin.

Vote: Ayes: Jim Dodds
      Don Imhoff
      Gene Martin
      Roxanne Schottel

20. **Pool Employee Handbook.**

Motion to approve the Swimming Pool Handbook with the following changes: Page 9: General Information – B: Rotation: All guards are required to participate in the rotation schedule every shift, and should make every effort to be on time for each rotation.

Page 9: General Information – C: Scheduling: Employees age 15 years old and younger cannot work past 9:00 p.m. *(This is a fair labor standard)*

Page 9: General Information – D: Punctuality: This includes any scheduled staff meetings and/or inservices.

Page 9-10: General Information – F: Rest Breaks: Employees scheduled to work more than six (6) hours *must* take a thirty (30) minute dinner break as time allows.

Page 13: Employee Responsibilities: 19.: Only employees age 16 years and older may handle chemicals related to water chemistry, including chlorine, Acid Magic, Pulsar Plus Acid Cleaner, and Pulsar Sunscreen. This does not apply to the chlorine or pH test kits, which may be used by all employees.

Page 13: Employee Responsibilities: 20. Employees shall ensure that no one other than employees or patrons receiving first aid shall be allowed in the office area.

Page 18: Facility Policies – E: Closing: Staff will not close the swimming pool early unless circumstances arise indicating the need for closure, such as weather, equipment malfunction, contamination issues, **power outages**, etc. by Schottel and seconded by Dodds.

Vote: Ayes: Jim Dodds
      Don Imhoff
      Gene Martin
      Roxanne Schottel

Mayor Ryan Kern asked that the pool manager be made aware that two guards shall sit on duty a majority of the time when swimmers are in the water.

Staff is to get a quote to place emergency lighting in the four bathrooms at the pool.

21. **Pawnee Mental Health Request.**

Motion to authorize the Mayor to sign a Proclamation declaring May Mental Health Month in the City of Washington, Kansas by Imhoff and seconded by Schottel.

Vote: Ayes: Jim Dodds
      Don Imhoff