

MINUTES OF THE REGULAR CITY COMMISSION MEETING SEPTEMBER 19, 2012 (Amended)

The governing body met in regular session on September 19, 2012, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Pounds, Wentz, Johnson, Parker, and Fraser.

Absent: None.

Other Officers: City Manager Uri, Finance Director Farha and City Clerk Crum.

Mayor Pounds declared that a quorum was present and called the meeting to order.

Visitors: Jessica LeDuc, Toby Nosker, Jarred Green, Kevin Shamburg, Jean Rosemarynoski, Ken Johnson, Don Dean, Tina Barnett, Kirk Lowell, Frank Headrick, Retta Waite, Marcia Allen, Monte Wentz, Tom Tuggle, Laverne Clintsman, Suzy Tuggle, Brad Waller. Staff present: Bruno Rehbein, Building Inspector; Ron Copple, Public Works Director; Chad Buckley, Utilities Director; Chris Edin, Police Chief.

Pastor Tina Barnett gave the invocation, followed by the reciting of the Pledge of Allegiance.

City Manager Uri noted water adjustment policy had been added to the agenda.

APPROVAL OF MINUTES

APPROVED

Commissioner Wentz moved to approve the minutes of the September 5, 2012, meeting. Commissioner Fraser seconded. Motion carried unanimously.

APPROPRIATION ORDINANCE #17

APPROVED

Commissioner Johnson asked about the court interface software. Finance Director Farha explained the software tied the police department and court together, for traffic tickets. Finance Director Farha answered Commissioner Johnson's question about the feasibility study, saying it's just one invoice toward the entire project. Commissioner Johnson noted the animal services invoices, and asked if we're breaking even. Finance Director Farha answered yes.

Commissioner Johnson moved to approve appropriation ordinance #17. Commissioner Wentz seconded. Motion carried unanimously.

PUBLIC COMMENTS

Retta Waite discussed a vacant property next to her at 7th & Spruce that is filled with trailers, campers, and equipment, asking if anything could be done about it. City Manager Uri said our zoning ordinances would allow us to, but noted the many properties around town this would pertain to, and recommended not pursuing it at this point. It was decided staff would send letters to the property owners.

Tom Tuggle commended the commissioners on doing a good job. He discussed the walking trail, and the need to form a private committee to care for the trail.

OLD BUSINESS:

KLA ENVIRONMENTAL PRESENTATION

Kevin Shamburg and Jarred Green presented a power point and discussed the flood control project. The project is designed for a 100 year flood event, or 7 inches of rain in a 24 hour period. Mr. Shamburg said their latest design included reducing the Plum Road dam, decreasing the cost without compromising flood control.

They presented updated proposed costs:

	Construction Costs	Contingency, Reserve & Administrative Costs	Total
21 st Street Dam	\$820,000	\$220,000	\$1,040,000
Plum Road Dam	\$760,000	\$180,000	\$ 940,000

KLA proposes moving forward with designs and permits. They estimate 2-4 months for design and environmental, an additional 4-6 months for the permitting process, and contract letting 2-3 months following the permitting. They estimate construction could begin as early as June 2013. For the final design, environmental studies, and bid openings, the additional services on KLA's contract would be \$72,838. Commissioner Johnson requested an estimate of how much more storage would be gained by removing the road across the top of the dam. Commissioner Johnson also wanted an estimate of a 4:1 slope rather than a 3:1 at the Plum Road dam. Mr. Shamburg promised those figures.

Mayor Pounds moved to approve the amended engineer agreement with KLA. Commissioner Johnson seconded. Further discussion questioned how the project would be paid. City Manager Uri said there would be a report later in the meeting. It was decided to wait for the report. Motion failed 5-0.

FLOOD CONTROL SEWER RELOCATION

Ken Johnson provided two alternatives for relocating the sewer line. The first option is \$279,525, with the second option estimated at \$384,905. Option 2, though more money, allows for serving the location for restrooms and the college's undeveloped land to their south. This project must be completed by June 2013, before the dam construction.

Finance Director Farha presented spreadsheets of TIF spending on the flood control. If all that was allocated for this year was spent, there will still be \$417,000 left in the fund, with more coming in each year. She discussed the possibility of the utility fund paying for the sewer relocation rather than using TIF dollars. Future bond payments were also discussed, with the necessity of raising the mill levy several times over the course of the life of the bonds, unless another way of making the payments is found.

Commissioner Wentz moved to go with option 2 on the relocation of the sanitary sewer. Commissioner Fraser seconded. Motion carried unanimously.

Commissioner Johnson moved to approve the amended KLA contract. Commissioner Fraser seconded. Motion carried unanimously.

Kirk Lowell, with CloudCorp, discussed the commercial lots and future property tax and TIF fund contributions by property owners. He talked about the need for developing the lots along US 81.

Tom Tuggle, who is involved in ownership of property along US 81, talked about marketing the commercial lots and possible future businesses that may be interested in locating in the area, especially with the potential of a new hospital across the highway from the flood control area.

City Manager Uri talked about the availability of dirt sufficient to fill in the US 81 lots. It was decided the City is better off financially to wait until next year to bring in dirt.

WATER SHUTOFF POLICY

Retta Waite discussed the recent shutoff of a family member's residence for non-payment. She expressed displeasure at the residence being ordered shut off after the payment was in the drop box that morning. The bills are due no later than 8:00 a.m, as stated on the reminder notices that go out after the original bill has not been paid.

City Manager Uri explained the process of sending the first bill, how much time is given for payment for the reminder notice, and when the bill is due in order to avoid being shut off. City Manager Uri noted that it is usually the same people getting shut off every month, and recommended raising the delinquency fee for repeat offenders.

NEW BUSINESS:

AUDITOR ENGAGEMENT LETTER

Finance Director Farha said this would be the fourth year with the auditor. The price of \$12,450 has remained the same.

Commissioner Wentz moved to accept the auditor's engagement letter. Commissioner Parker seconded. Motion carried unanimously.

HOSPITAL GRANT SPONSORSHIP

City Manager Uri said the hospital seeks to obtain a grant from the Kansas Department of Transportation that will be applied to street improvements should the hospital build at the currently proposed site. The City would be the sponsor. City Manager Uri recommends the City sponsor the grant, and the hospital would need to come up with the matching funds.

Commissioner Fraser moved to approve the agreement. Commissioner Wentz seconded. Motion carried unanimously.

MANAGER'S REPORT

There were no manager comments.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Fraser suggested someone from the City, preferably the mayor, attend ribbon cuttings.

Mayor Pounds said the demo contractor did a good job on the East 16th project.

City Manager Uri reminded the commission that the renaming of the tennis courts would take place this Saturday at 1:00 p.m. during Fall Fest.

STAFF COMMENTS

Ron Copple said the Lions Club is donating more trees for the cemetery and invited the commission to attend on October 4 at 11:00 a.m.

Chad Buckley said there are only 90 meters left in town to change. He also said shut offs are done on the sixth day rather than the fifth, which gives everyone another day to pay, following up on the water shut-off topic.

EXECUTIVE SESSION – ATTORNEY-CLIENT PRIVILEGE

HELD

Commissioner Fraser moved that the commission recess into executive session for ten (10) minutes for attorney-client privilege. Inviting: City Manager Uri. Commissioner Parker seconded. Motion carried by the following vote:

Aye: Commissioners Pounds, Wentz, Johnson, Parker, and Fraser.

Nay: None.

Time: 8:54 p.m.

The commission reconvened at 9:04 p.m.

Mayor Pounds announced there was no binding action taken.

EXECUTIVE SESSION – NON-ELECTED PERSONNEL

HELD

Commissioner Wentz moved that the commission recess into executive session for ten (10) minutes for non-elected personnel. Inviting: City Manager Uri. Commissioner Parker seconded. Motion carried by the following vote:

Aye: Commissioners Pounds, Wentz, Johnson, Parker, and Fraser.

Nay: None.

Time: 9:05 p.m.

The commission reconvened at 9:15 p.m.


Mayor Pounds announced there was no binding action taken.

ADJOURN

Mayor Pounds announced there would be a study session following the adjournment of the meeting.

There being no further business, Commissioner Wentz moved to adjourn the meeting. Commissioner Fraser seconded. Motion carried unanimously. The meeting adjourned at 9:15 p.m.

(Seal)



Stacey Crum
City Clerk