

REGULAR CITY COUNCIL MEETING
CITY ADMINISTRATIVE OFFICES
511 N. COMMERCIAL

June 20, 2011
7:30 P.M.

PRESIDING: Mayor Keith DeHaven

GOVERNING BODY MEMBERS PRESENT: Larry Emmel; Rick Jacob; Jon Jenson; Thom Noone; Lynne Vigil

ALSO ATTENDING: Jaci Reimer, City Administrator; Brad Jantz, City Attorney; Janise Enterkin City Clerk; Kelly DeGraffenreid, Harvey County Independent; Phil & Mary Coslett; Hershel West, Waste Connection; Bill, Eli, Mallary, Marshall & Angie Croxton; Rodget Amos; Ray Huff, Police Chief

ADDITIONS/DELETIONS TO THE AGENDA

MOVED BY NOONE AND SECONDED BY VIGIL TO APPROVE THE AGENDA WITH NOTED ADDITIONS: 5B TREE BOARD REQUEST, 8B READING, KS, 8C MIKE POMPEO OPEN HOUSE, 8D LKM COMMUNICATION. MOTION CARRIED.

CONSENT AGENDA

MOVED BY JENSON AND SECONDED BY NOONE TO APPROVE THE CONSENT AGENDA INCLUDING PAYROLL CHECKS 25262 THRU 25301 AND GENERAL DISBURSEMENT CHECKS 56814 THRU 56878 MINUTES OF THE REGULAR COUNCIL MEETING OF JUNE 6, 2011. MOTION CARRIED.

Council member Jacob questioned checks numbered 56830 J & H Farm Equipment and 56847 Stucky Farm. He asked if the checks were written for duplicate work done to chain saws. City Administrator Reimer explained they were for purchase of a new chain saw, chain saw repair and mower repair. Council member Jacob also questioned the practice on choosing businesses to purchase or use for maintenance of equipment, noting that he and his business owners, who own property in the city, are personally affected because his business offers the same services. Jacob pointed out that J & H Farm is located in Harvey County, but Stucky Farm is in Sedgwick County. He asked since they are in Sedgwick County whether the city benefited from sales tax. **City Administrator Reimer** said that part of the city is located in Sedgwick County so the city does receive sales tax money from both Harvey and Sedgwick County. Reimer said she would bring the formula on how sales tax is figured.

PUBLIC COMMENT

Herschel West, Waste Connections made a presentation to the top recyclers for the city. Bill & Angie Croxton, Phil & Mary Coslett, and Roger Amos. **Council member Emmel** congratulated the recycling winners. **Mayor DeHaven** asked about the cost for renting a large shredder for a community wide shredding day. **Council member Jenson** questioned recycling shredded paper and **Council member Noone** asked about recycling plastic bags.

NEW BUSINESS

MOVED BY JENSON AND SECONDED BY JACOB TO ACCEPT WASTE CONNECTION RATE INCREASE AND CITY REFUSE RATE INCREASE OF 50 CENTS. MOTION CARRIED.

Council Member Jensen spoke representing the Tree Board. The Tree Board would like to present a plan to provide trees along the path of the Hike and Bike Trail. **City Administrator Reimer** said that the trees can be planted along the trail as long as they do not grow on the levy structure. The Tree Board would also like to get with Cemetery Board to plant in the new Cemetery.

STAFF REPORTS

Police Chief Ray Huff, came before Council to answer questions regarding the HUMMWE that is being purchased for use during flooding or snow and other disasters. All the work to make the HUMMWE a police vehicle will be done in-house. The HUMMWE can never be sold by the city. **Council member Jensen** asked what vehicle training will be done with the part time police officers for things such as high speed chases and limitations of the vehicle. Jensen said he expects some sort of documented training. **Police Chief Huff** explained that the HUMMWE has a top speed of 60 mph and will not be used for high speed chases. It will only be used for extreme weather purposes. There is a policy regarding high speed chases for police personnel. Chief Huff stated the department personnel have been well trained. **Council member Jacob** said he thinks money will be well spent.

Jaci Reimer, City Administrator, the budget timeline was discussed, 2 budget meetings were set for July 6 & 13 at 7:30 p.m.

Jaci asked Council if the city could apply for the Kansas Department of Wildlife & Parks and the Sunflower Foundation for grant funding to help cover the cost of the proposed Hike & Bike trail. Council approved.

Jaci included the old building rates and the new proposed building rates for Council to view. Update on the Historic District property owner meeting. The majority of property owners would like to see the city proceed with the district. Everyone responded except for Jim Elmore. Harvey County tipping fee update was given.

A Citizen complaint was received regarding road grading and the dust that it causes.

A petition for 1st to 4th Streets will be presented to Council to reduce the speed zone on Madison to 20 mph. The air conditioning in City Hall was out all week.

The owner and potential owner of the Phenneger house located on the corner of 7th and Commercial, have agreed to allow the Sedgwick Fire Department to burn down the house for training purposes with Halstead Fire Department assisting. The City liability insurance will cover the training exercise. The neighbor to the north and the owner of the house will sign waivers stating they are aware of the risk. If the wind is over 10 mph the exercise will not occur. It is very restrictive and a very controlled training. A "wall of water" will be used to set a barrier between the burning house and neighboring house. The owner of the property is responsible for removing any debris left. **Council member Jensen** asked who pays for the water used for the "wall of water" since it is a planned structure burn and not an emergency. **Council member Jacob** said that he felt that the use of the water was for training purposes and that Jensen was contradicting himself regarding training. **Council member Jensen** explained his reason was that he had requested the same thing several years ago and was told no by the city. **City Administrator Reimer** explained that it was a different Council and a Fire Department that was not as well trained as the one now. The homeowners came to the city and asked if the Fire Department wanted to use the house for training. It is the consensus of Council to approve the burning of the Phenneger home for purpose of Fire Department training.

OLD BUSINESS

Building permit fees were discussed. Council was asked to Email any changes to Jaci Reimer, City Administrator. Building permit fees were tabled until the next meeting.

MOVED BY JENSON AND SECONDED BY NOONE TO APPROVE DAVIS PRESERVATION CONTRACT FOR HISTORIC DISTRICT. MOTION CARRIED.

MOVED BY EMMEL AND SECONDED BY JENSON TO ADJOURN TO EXECUTIVE SESSION REGARDING ATTORNEY/CLIENT PRIVILEGE FOR A PERIOD OF 15 MINUTES WITH MAYOR, COUNCIL, CITY ATTORNEY, CITY ADMINISTRATOR, CITY CLERK IN ATTENDANCE. MOTION CARRIED.

Meeting reconvened at 9:44 p.m. with no binding action taken in executive session.

MOVED BY JACOB AND SECONDED BY NOONE TO PROCEED WITH A CONTRACT FOR SALE OF PROPERTY AT THE INDUSTRIAL PARK AND PROPERTY BEHIND 203 W. 1ST TO SEDGWICK VENTURE'S LLC. WITH THE CONDITION THAT IMMEDIATE APPLICATION TO ZONE 203 W. 1ST AS A COMMERCIAL PROPERTY AND AUTHORIZE MAYOR TO EXECUTE CONTRACT CONSISTENT WITH CONDITION. MOTION CARRIED.

MOVED BY JACOB AND SECONDED BY EMMEL TO TERMINATE THE LEASE WITH HEALY BIODIESEL EFFECTIVE DECEMBER 31, 2011. MOTION CARRIED 4-1. NOONE OPPOSED.

MAYOR & COUNCIL REPORTS

Mayor DeHaven asked Council if they would like to make a donation to Reading, KS to help offset the costs they have incurred due to tornado damage. Council asked Jaci to bring back suggestions on amount the City could donate. The Mayor also reported on Harvey County tipping fees, an open house for Mike Pompeo, LKM board copy of letter on the Federal Communications industry, Harvey County board of directors meeting notes and the Senior Center is still progressing with a possible completion date of September 1st.

MEETING REMINDERS

June 21 – Planning Commission, 7 p.m.
June 22 – Truck Route Meeting, 7:30 p.m.
June 30 – July 4, Firework Sales
July 5 – Council Meeting
July 21 – Publish Budget Hearing Notice
August 1 – Budget Hearing
August 25 – Final date to adopt & sign 2012 budget to County Clerk

MOVED BY EMMEL AND SECONDED BY VIGIL TO ADJOURN. MOTION CARRIED .

Meeting adjourned at 9:59 p.m.

Janise P. Enterkin, CMC
City Clerk