

**REGULAR CITY COUNCIL MEETING
CITY ADMINISTRATIVE OFFICES
511 N. COMMERCIAL**

**August 20, 2012
7:30 P.M.**

PRESIDING: Mayor Keith DeHaven

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

ALSO ATTENDING: Jaci Reimer, City Administrator; Janise Enterkin, City Clerk; Brad Jantz, City Attorney; Kelley DeGraffenreid, Harvey County Independent; Leigh Charles, Planning Commission; Justin Stucky; Asa Galloway

ADDITIONS/DELETIONS TO THE AGENDA

MOVED BY VIGIL AND SECONDED BY JENSON TO APPROVE THE AGENDA AS PRESENTED. MOTION CARRIED.

CONSENT AGENDA

MOVED BY JENSON AND SECONDED BY VIGIL TO APPROVE THE CONSENT AGENDA INCLUDING:

MINUTES OF THE REGULAR COUNCIL MEETING OF AUGUST 6, 2012.

PAYROLL CHECKS 26302-26334

GENERAL DISBURSEMENT CHECKS 58196-58251

MOTION DIED DUE TO LACK OF MOTION.

Council member Emmel asked that a statement that was noted in the Regular Council meeting minutes of August 6, 2012 be stricken.

MOVED BY JENSON AND SECONDED BY VIGIL TO APPROVE THE CONSENT AGENDA INCLUDING:

MINUTES OF THE REGULAR COUNCIL MEETING OF AUGUST 6, 2012 WITH CORRECTION MADE ON PAGE 3 STRIKING A SENTENCE

PAYROLL CHECKS 26302-26334

GENERAL DISBURSEMENT CHECKS 58196-58251

MOTION CARRIED.

PUBLIC COMMENT

Leigh Charles, Planning Commission came before Council to present the Zoning Ordinance and Subdivision Regulations for review and to ask for their approval.

Justin Stucky came before Council to give an update on the progress of The Reserve. He asked Council to look into developing the property East of Hoover. Mr. Stucky is working for the Real Estate Company and he would like to market the ground for the city.

City Administrator Reimer said that whoever purchases the property would have to take it to a final plat. Council member Jacob questioned the drainage on the property. Attorney Jantz said that either retention or detention pond would have to be incorporated into the final plat. Reimer said that Council needs to decide whether or not to utilize Mr. Stucky and what the stipulations would be in the contract. Mayor DeHaven said they will get back with him.

STAFF REPORTS

Jaci Reimer, City Administrator updated Council on the following:

- a) Public Hearing has become moot issue. The property is no longer in Kennedy's name so the issue with the property is no longer the cities issue, it would fall to the McKinley Trailer Park.
- b) New insurance agent, Dan Heinze has moved his business to Sedgwick and is located on the corner of 5th & Commercial.
- c) The transition to Legacy Bank will be made on Sept. 1st. The bank will offer new services to city and citizens. They will continue the report regarding securities until Council is comfortable with the bank.
- d) Newton Medical Center will have the memorandum of understanding at next meeting.
- e) 205 W. 1st cleanup continues, waiting on lab results.
- f) Discussion about pond cleanup at the Hilands. Reimer reported that dredging would not gain a lot of storage. To do the work, the city would have to rent one piece of equipment. A final report will be given at the next meeting. Council discussed what areas the city was responsible for mowing. There were areas around the safe route to school sidewalk bridges, and spillway that are in the need of mowing. Reimer said she would look at it.
- g) Options on reading and/or not reading meters in the winter and leak payment policy options.
- h) Ordinance 807 & Ordinance 808, the only thing deleted is traffic regulations on private property, then we can write tickets or remove vehicles. Staff will ask the bank if they want it enforced.
- i) Swimming pool expenses and revenues. The city will try to leave the pool open for Fall Festival for a community swim to be held on Sunday.
- j) City Administrator Reimer asked for an Executive Session under Old Business regarding possible litigation for 10 minutes to discuss sludge contracts.
- k) A decision on a new EMS Director will be made at the end of the week. Currently advertising for a City Superintendent.

Brad Jantz, City Attorney handed out an example of an Ordinance on meter reading and discussed creating a fund for water leaks. The Ordinance would presume that there will be monthly reading every month unless there is good cause that it is not feasible to read the meters.

MOVED BY VIGIL TO APPROVE ORDINANCE 809 SPECIFYING RESIDENTIAL METER READS. MOTION DIED DUE TO LACK OF SECOND.

Consensus of Council to have Attorney Jantz bring the Ordinance 809 back before Council on September 4th.

MAYOR & COUNCIL REPORTS

Mayor DeHaven presented the name of John Pittinger as Planning Commission appointment filling the remaining term of James Campbell.

MOVED BY VIGIL AND SECONDED BY JENSON TO APPOINT JOHN PITTINGER TO SERVE ON THE PLANNING COMMISSION COMPLETING THE REMAINING TERM FOR JAMES CAMPBELL. MOTION CARRIED.

NEW BUSINESS

Council was presented with a copy of the revised cost estimates for the Medical Clinic to be reviewed and will be on the September 4th agenda.

OLD BUSINESS

MOVED BY JENSON AND SECONDED BY JACOB TO APPROVE ORDINANCE 807, REGULATING UNIFORM PUBLIC OFFENSE CODE, 2012. MOTION CARRIED.

MOVED BY JENSON AND SECONDED BY JACOB TO APPROVE ORDINANCE 808, REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF SEDGWICK, 2012. MOTION CARRIED.

Mayor DeHaven re-opened the hearing for 120 S. Washington at 9:12 PM. City Administrator Jaci Reimer reported that the ownership of the property at 120 S Washington has been changed from Mr. & Mrs. Kennedy and is now in the ownership of Mr. Russell Cooper. She asked for hearing to be terminated.

MOVED BY VIGIL AND SECONDED BY NOONE TO TERMINATE THE HEARING FOR 120 S WASHINGTON. MOTION CARRIED.

Mayor DeHaven asked if a resident could hunt on city property. City Attorney Jantz said that hunting on city property is not allowed.

MOVED BY JENSON AND SECONDED BY NOONE TO RECESS INTO EXECUTIVE SESSION REGARDING POSSIBLE LITIGATION FOR 10 MINUTES BEGINNING AT 9:18 PM WITH MAYOR, COUNCIL, CITY ADMINISTRATOR, CITY ATTORNEY AND CITY CLERK IN ATTENDANCE. MOTION CARRIED.

Meeting reconvened at 9:42 PM with no binding action taken in executive session.

MEETING/DATE REMINDERS

Sept. 3rd Labor Day – Council meeting moved to Tuesday, Sept. 4th

Sept. 15-16, Sedgwick Fall Festival

Oct. 6-8, 2012, LKM League Conference, Topeka

MOVED BY JENSON AND SECONDED BY NOONE TO ADJOURN. MOTION CARRIED.

Meeting adjourned at 9:48 PM



Janise P. Enterkin, CMC
City Clerk