

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

**August 6, 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; Syd Johnson, Shannon Catlin, Angie Croxton

ADDITIONS/DELETIONS TO THE AGENDA

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

2013 BUDGET PUBLIC HEARING

Mayor DeHaven opened the 2013 Budget Public Hearing at 7:34 PM. No comments were given by the public on the 2013 Budget.

MOVED BY NOONE AND SECONDED BY JENSON TO APPROVE THE 2013 BUDGET @ 66.511 MILLS. MOTION CARRIED.

The 2013 Budget Public Hearing closed at 7:39 PM.

CONSENT AGENDA

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

MINUTES OF THE REGULAR COUNCIL MEETING OF JULY 16, 2012 AND SPECIAL COUNCIL MEETING HELD JULY 30, 2012.

PAYROLL CHECKS 26264-26301

GENERAL DISBURSEMENT CHECKS 58130-58195

ORDINANCE 806 – ATTESTING TO THE POSSIBLE INCREASE IN TAXES FOR BUDGET YEAR 2013. MOTION CARRIED.

PUBLIC COMMENT

Shannon Catlin & Angie Croxton representatives from Sedgwick Booster Club came before Council to ask for a temporary CMB License for the rodeo on Saturday, August 15th from 12:30pm – 8pm. She explained that the Rodeo is sanctioned and is the last competition before Nationals.

City Attorney Brad Jantz said the city can issue a temporary license stating where, when, and how only with Cereal Malt Beverage, not liquor.

City Administrator Reimer explained how the area for CMB purchase will be fenced and security will be at both entrances and exits. Beverages will be served in cans, no glass will be allowed.

Council member Jenson suggested using wrist bands for CMB purchase.

Council member Vigil asked that recycling bins be available for cans.

MOVED BY JACOB AND SECONDED BY NOONE TO APPROVE A TEMPORARY CMB LICENSE FOR SEDGWICK FALL FESTIVAL/PRCA RODEO ON SATURDAY, SEPTEMBER 15, 2012 FROM 12:30PM TO 8PM. MOTION CARRIED.

Shuttle service and parking will be available. Reimer said there will be a horse show on Sunday put on by the local saddle clubs.

The Booster Club representatives asked Council for a donation to help with expenses for the 2012 Fall Festival.

Council member Jacob said that he had received a number of complaints regarding the absence of the carnival rides.

Shannon and Angie said that Booster Club has received many positive comments on the family friendly activities offered in place of the carnival.

City Administrator Reimer said that the decision not to use the carnival was based on the increase in the cost of tickets and the carnival telling the Booster Club that they could not have certain vendors if they are present.

MOVED BY VIGIL AND SECONDED BY JACOB TO APPROVE A DONATION OF \$4,000 TO SEDGWICK BOOSTER CLUB FOR THE 2012 FALL FESTIVAL. MOTION CARRIED.

STAFF REPORTS

Jaci Reimer, City Administrator reported on the following:

- a) Demolition began today on 520 N Commercial with asbestos removal.
- b) 10-12 water main and hydrant breaks.
- c) A bid from Wichita on the Wastewater sludge hauling has not been received yet. The bid will be available at the next council meeting. Council member Jacob said he would like to pursue any avenue of recourse against Mr. Kelly. City Attorney Jantz explained to Council the possible recourse.
- d) There is to be a meeting with Newton Medical Center and Wilson & Company on next Thursday. The estimated cost and bid sheets will be available at the next meeting, August 20th.
- e) 205 W 1st, began cleanup, ran tests on water and white powder, waiting for test results.
- f) Jack Schroeder called City Hall regarding the Hiland pond. He would like to see the pond dredged while it is dry. Jaci said the lake area is city property and asked Council if they want to do it. City Attorney Jantz said it is detention vs. retention. There is a mandate that it is to be dredged at some point. Council directed staff to check on what the depth the pond should be and if it needs to be dredged or not.
- g) Energy Grant is under way. There is still heat and air work to be done in City Hall and the City Shop. The project is 75% done.
- e) Reimer is working on the final audit with CDBG on the Senior Center.
- f) Interviews for Fire/EMS Director are being held. There have been eight interviewed and will call back a few for a 2nd interview. Tony Chavez is interim director for Ambulance, and Sam Enterkin is interim for Fire.
- g) Tony Somers has turned in his resignation effective August 31st, an ad will be placed on the website and in local newspapers for a replacement.
- h) Personnel regulations discussion. Termination subject to, is confusing on the amount of vacation given when an employee resigns. Jaci asked Council to strike the first sentence in the paragraph to make it clear that whatever vacation time an employee has left is what they receive.
- i) Swimming pool report update.
- j) Water leak practices reviewed.

- k) Fence bids were presented, will be a costly venture to move the fence. Reimer recommended leaving the fence for the time being.
- l) Swimming pool has another leak in the deep end. As soon as the pool is drained it will need to be repaired. American Pool is keeping it temporarily patched until the season is over.

Brad Jantz, City Attorney gave his report on the initial correspondence response with KDA. The response that he has gotten is that they are engineers, who deal with hydrological issues, not the legal side. They are not going to contact the Counties. They said it is a local issue or it can fall to the Secretary of State. Jantz is not sure that they would do anything. Jantz handed out a list of things that can be done if they Council would choose.

Council member Noone said he does not want to pay taxes to an entity that does not exist and as part of the city council he has a problem having the citizens pay the same tax whether they know it or not.

Jantz said there are several options, one is to contact the County Commissioners and the other is to let it go.

Council member Vigil asked Jaci to talk to her contact that she had and get a feel for where they are with it.

Council member Jenson said that "having a district is fine and they have showed some effort in the last 12 months but for them to take and deposit funds in a form of a district without a legal charter or authorization, I don't see how Sedgwick or Harvey County Counselors or Treasurers can dispense these funds. I would like to see that answered more then anything else. I don't think I owe any money to an organization that is not legally there. Maybe at the end of this we will have a legal Drainage District, maybe there is a lesson to learn for all of us."

Council member Jantz said that he and Jaci would hold a conference call with Tom Morey and send something in writing to the counties.

NEW BUSINESS

MOVED BY VIGIL AND SECONDED BY JENSON TO APPROVE THE CHANGE SECTION E-4(F) OF PERSONNEL POLICY REGARDING VACATION LEAVE AS NOTED.
MOTION CARRIED.

OLD BUSINESS

Chief Huff, brought documentation from July 1st on classified vehicles as motorized bicycles. They must have a license to operate the vehicle. The license would be stamped motorized bicycle.

Council did not make any decisions on water leaks. They would like to read through and discuss at the next meeting under old business.

Attorney Jantz said he would provide a couple of options for clarity on reading meters such as leak versus no leak, read versus no read.

Fence bids have been tabled.

MEETING/DATE REMINDERS

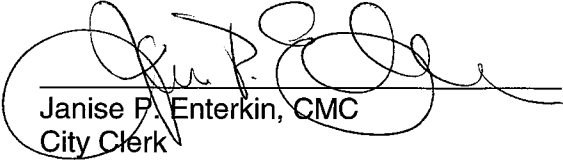
Special Council meeting – tour WB Services, July 30, 6PM

Budget Hearing, August 6, 2012

REAP, South Hutchinson, August 9, 2012

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

Meeting adjourned at 10:02 PM



Janise P. Enterkin, CMC
City Clerk