

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

**March 19, 2012  
7:30 P.M.**

**PRESIDING:** Mayor Keith DeHaven

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

**ALSO ATTENDING:** Jaci Reimer, City Administrator; Janise Enterkin, City Clerk; Kelley DeGraffenreid, Harvey County Independent; Sam Enterkin, Planning Commission; Herschel West, Waste Connections; Walter Hoyt, Rodger Gutzmer, Madeline Mosiman, Asa Galloway

**ABSENT:** Brad Jantz, City Attorney

ADDITIONS/DELETIONS TO THE AGENDA

**MOVED BY EMMEL AND SECONDED BY JACOB TO APPROVE THE AGENDA AS PRESENTED. MOTION CARRIED.**

CONSENT AGENDA

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

**MINUTES OF THE REGULAR COUNCIL MEETING OF MARCH 5, 2012 AND SPECIAL COUNCIL MEETING OF MARCH 8, 2012.**

**PAYROLL CHECKS 25937 THRU 25956**

**GENERAL DISBURSEMENT CHECKS 57719 THRU 57759.**

**MOTION CARRIED.**

PUBLIC COMMENT

**Sam Enterkin, Planning Commission**, presented Council with the suggested approval of re-zoning of 203 W. 1<sup>st</sup> and 300 & 304 E. 4<sup>th</sup>.

**MOVED BY EMMEL AND SECONDED BY VIGIL TO APPROVE THE RE-ZONING OF 203 W. 1<sup>ST</sup> FROM INDUSTRIAL (I-1) TO COMMERCIAL (C-1). MOTION CARRIED.**

**MOVED BY COUNCIL AND SECONDED BY COUNCIL TO APPROVE THE RE-ZONING OF 300 & 304 E. 4<sup>TH</sup> FROM INDUSTRIAL (I-1) TO RESIDENTIAL (R-1). MOTION CARRIED.**

**Herschel West, Waste Connections**, came before Council to present a renewal contract. Mr. West said due to the rising cost of fuel there is an increase of 1%. He will check at the time of renewal to see if the fuel costs lower but will not charge any more if they go higher. Mr. West asked for a 5 year agreement (currently have 3 year contract).

**City Administrator Jaci Reimer** reported that the city usually goes out for bid every other contract cycle (3 years). Probably should bid again next contract period.

**Council member Jenson** asked about E-waste (Electronic Waste Recycling). Mr. West said that at this time Waste Connections does not provide that service.

**Mayor DeHaven** asked what the comparison is between the curbside trash and recycle quantities generated. Mr. West will be able to track the amount the residents recycle and can provide that information in the future.

**MOVED BY JENSON AND SECONDED BY EMMEL TO APPROVE RENEWAL OF CONTRACT WITH WASTE CONNECTIONS FOR 5 YEARS. MOTION CARRIED.**

**Mayor DeHaven opened Public Hearing on 120 S. Washington at 8:07pm.**

City Administrator Jaci Reimer reported that there was some confusion regarding ownership of the property. The Kennedy's claim they no longer own the property but they are still listed with Sedgwick County as the property owners. The Kennedy's are requesting 30 days to get the title rectified. If things do not work out they will help to get the building demolished.

**MOVED BY EMMEL AND SECONDED BY JENSON TO GIVE A CONTINUATION OF THE HEARING FOR 30 DAYS (MAY 7, 2012) ON 120 S. WASHINGTON. MOTION CARRIED.**

**STAFF REPORTS**

**Jaci Reimer, City Administrator**, reviewed

- a) Ordinances on the agenda are for Public Building Commission and re-zoning issues.
- b) Revised draft on Recreational Vehicle parking on residential lots is in packet for review.
- c) Farm leases have been renewed on city owned property. All leases have been paid, submitted and filed with the city.
- d) Temporary entrance on Harrison. The entrance was put in for convenience not necessity. Wilson & Company sent an opinion letter regarding the placement of the culverts, a copy was given to the drainage district. Jaci apologized for not contacting the drainage district prior to putting in the entrance, she said it was oversight. As soon as she realized the oversight, she contacted a member of the drainage district board to apprise them of the issue and discuss resolution. Upon contact with some of the members of the district board, she was instructed to leave it as is until the drainage district met again. They would then notify staff if they want it to be removed.

**Council member Jacob** voiced his displeasure with the placement and cost of the culvert and the oversight of not notifying the drainage district.

**Council member Jenson** said that the staff in any good faith efforts to conduct city business. Also should it be decided between the drainage district board and our staff that it needs to be removed, he will support that also.

**Council member Vigil** affirmed the efforts by the city administrator to open communication with the drainage district.

- e) Drainage issue at Hales' entrance. Jaci contacted the drainage district and they will be clearing the ditch of silt and weeds to the south.
- f) Sewer issues over the weekend caused by excessive amount of rags and grease. An educational flyer on what and what not to put in the sewer will be going out April 1<sup>st</sup>.
- g) Trash contract renewal. Due to the increase, trash rates may need to be re-visited. Jaci will bring back a recommendation to Council.
- h) Owner, Nicole Crofts will be at the next Council meeting to give a report on the progress at 202 W. 8<sup>th</sup>.

**NEW BUSINESS**

**MOVED BY EMMEL AND SECONDED BY JACOB TO APPROVE ORDINANCE 798 – RE-ZONING OF 203 W. 1<sup>ST</sup>. MOTION CARRIED.**

**MOVED BY EMMEL AND SECONDED BY VIGIL TO APPROVE ORDINANCE 799 – RE-ZONE OF 300 & 304 E. 4<sup>TH</sup>. MOTION CARRIED.**

**MOVED BY EMMEL AND SECONDED BY VIGIL TO APPROVE ORDINANCE 800 – RE-ZONE OF 205 W. 1<sup>ST</sup>. MOTION CARRIED.**

**MOVED BY EMMEL AND SECONDED BY VIGIL TO APPROVE ORDINANCE 801 REPEALING ORDINANCE 765. MOTION CARRIED.**

**MOVED BY VIGIL AND SECONDED BY JACOB TO APPROVE ORDINANCE 802 – REIMBURSEMENT RESOLUTION. MOTION CARRIED.**

**MOVED BY EMMEL AND SECONDED BY JACOB TO APPROVE CHARTER ORDINANCE 28 – PUBLIC BUILDING COMMISSION. MOTION CARRIED.**

**OLD BUSINESS**

Section 6: Consensus to change from 'any residential district' to may be stored at any residence'.

1. Consensus to change to 'shall be kept clear of the site triangle'.
2. Consensus to leave as written regarding discretionary inspection. Residential District changed to residence. Change to adequate Recreational Vehicle electrical standards as provided by manufacturer. Specify water, electrical and no sewer hookup or dumping and external propane gas.

**MOVED BY EMMEL AND SECONDED BY JACOB TO APPROVE THE ENERGY PERFORMANCE CONTRACT AS CHANGED PENDING FINAL APPROVAL BY KANSAS CORPORATION COMMISSION TO BE SIGNED BY MAYOR. MOTION CARRIED.**

**MAYOR & COUNCIL REPORTS**

**MOVED BY EMMEL AND SECONDED BY JENSON TO ADJOURN INTO EXECUTIVE SESSION FOR DISCUSSION OF ACQUISITION OF PROPERTY WITH MAYOR, COUNCIL, CITY ADMINISTRATOR AND CITY CLERK IN ATTENDANCE FOR A PERIOD OF 10 MINUTES BEGINNING AT 9:30PM. MOTION CARRIED.**

Meeting reconvened at 10:45 p.m. with no binding action taken in executive session.

**MOVED BY EMMEL AND SECONDED BY JABOB TO AUTHORIZE STAFF TO PREPARE LETTER OF INTENT TO PURCHASE 520 N COMMERCIAL, NOT TO EXCEED \$38,000 ON OR BEFORE JULY 31ST, MAYOR TO SIGN. MOTION CARRIED.**

**MOVED BY EMMEL AND SECONDED BY VIGIL TO AUTHORIZE STAFF FOR FINAL NEGOTIATIONS 522/524 N COMMERCIAL NOT TO EXCEED \$22,500 AUTHORIZING MAYOR AND CITY CLERK TO PROCEED WITH CLOSING AND PROVIDE FOR ADDITIONAL FUNDING FOR CLOSING AND DEMOLITION COST. MOTIONED CARRIED.**

**MEETING REMINDERS**

March 26 – American Legion Volunteer Fire/EMS/Police dinner, 6PM Social, 7PM Dinner  
March 27-29 – KRWA, Century II, Wichita

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

Meeting adjourned at 9:59 p.m.

  
Janise P. Enterkin, CMC  
City Clerk