

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

**January 20, 2014
7:30 P.M.**

PRESIDING: Mayor Rodney Eggleston

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

ALSO ATTENDING: Jaci Reimer, City Administrator, Janise Enterkin, City Clerk, Brad Jantz, City Attorney, Pilar Martin, Harvey County Independent; Eric Purk, Maintenance; John Pittinger, Planning Commission; Elyssa Marten, NAI Martens; Mark Sauerwein, Director of Emergency Services; Damon Young, Planning Commission

ADDITIONS/DELETIONS TO THE AGENDA

**MOVED BY JENSON AND SECONDED BY NOONE TO APPROVE THE AGENDA WITH ADDITION OF 3C HALES SALES & SERVICE CHECK 59969 FOR \$4.91.
MOTION CARRIED.**

CONSENT AGENDA

**MOVED BY JENSON AND SECONDED BY NOONE TO APPROVE THE CONSENT AGENDA INCLUDING:
MINUTES OF THE REGULAR COUNCIL MEETING OF JANUARY 6, 2013.
PAYROLL CHECKS 27428-27448
GENERAL DISBURSEMENT CHECKS 59953-59968, 59970-60004.
MOTION CARRIED.**

**MOVED BY EMMEL AND SECONDED BY JENSON TO APPROVE HALES SALES & SERVICE CHECK # 59969 IN THE AMOUNT OF \$4.91.
MOTION CARRIED. COUNCIL MEMBER JACOB ABSTAINED DUE TO CONFLICT OF INTEREST.**

PUBLIC COMMENT

No public comment.

NEW BUSINESS

Damon Young & John Pittinger of Planning Commission, appeared before Council to present the request from Green Energy Products to amend the conditional use permit. The only major change in the permit is the holding tank size for Methanol from 6,000 gallons to 15,000 gallons. Planning Commission approved the amendment as follows:

- a) Not to store more than 15,000 gallons of Methanol onsite at any time.
- b) They will not produce more than two and a half million gallons of fuel per year.
- c) Omit-the conditional use shall run in perpetuity as long as current owner remain the same and no increase in A or B is made.
- d) Add-any future changes to the Conditional Use Permit shall require a new permit and hearing process. This permit will continue to run in perpetuity as long as ownership does not change and no further changes or amendments to the permit occur.

**MOVED BY JACOB AND SECONDED BY JENSON TO APPROVE THE AMENDMENT TO THE CONDITIONAL USE PERMIT AS RECOMMENDED BY THE PLANNING COMMISSION.
MOTION CARRIED.**

Eric Purk came before Council to answer questions on the vacuum trailer bids. His recommendation was to purchase the Ditch Witch Trailer for \$33,347.42.

MOVED BY JACOB AND SECONDED BY VIGIL TO APPROVE THE VACUUM TRAILER BID FROM DITCH WITCH AS PRESENTED. MOTION CARRIED.

MOVED BY NOONE AND SECONDED BY JACOB TO APPROVE THE SEDGWICK SENIOR CENTER USE POLICY AMENDMENT WITH CHANGE FROM BUILDING TO PREMISES. MOTION CARRIED.

OLD BUSINESS

Elyssa Martens, NAI Martens – suggested to Council that they market the land as farm ground since the housing development market is slow. Council explained that the reason for purchase of the land is for development purposes and want to continue marketing it as that. The proposal will be brought back to Council on the next agenda. Council member Jacob asked for the purchase price and date the land was purchased.

Council discussed the snow removal on main street. It was consensus of Council to change the policy to read in C-3, snow shall be moved to the center of the streets on Commercial Ave from 1st to 8th and also on 5th Street from Washington to Franklin. Council also discussed developing snow routes.

MOVED BY JENSON AND SECONDED BY EMMEL TO APPROVE ORD. 823, SNOW & ICE REMOVAL IN DOWNTOWN BUSINESS DISTRICT. MOTION CARRIED.

MOVED BY JENSON AND SECONDED BY VIGIL TO APPROVE SNOW & ICE REMOVAL POLICY AS AMENDED IN C-3. MOTION CARRIED.

STAFF REPORTS

Jaci Reimer report:

- a) Staff reports will be Feb. 3rd and annual city report
- b) Alpha Land Surveys is working on truck turn radius at 125th & Ridge Road, final design will be available after utilities are staked out.
- c) Update on LOMR, pre-dam data is being asked for. PEC is getting the files needed (at no cost) and we will forward the information onto Alpha Land Survey and then onto FEMA.
- d) Information on New Municipal leadership seminar being presented on Saturday mornings.
- e) Weekly reports from lobbyist.
- f) Council asked about the 8th street driveway where the home owner is making a change to the entrance of driveway. Jaci reported that it has been approved by the city.
- g) No news from the Hilands regarding the pond area. There will be no increase to our liability insurance, but we will have to post a sign by pond restricting swimming, etc. There is one meter on a pole and one pump to fountain with automatic switch with timer. Have not gotten property taxes or electric bill and whether they want us to do it.
- h) Council member Noone asked about repair of 7th Street at RR tracks.
- i) The school gave the City their old baseball diamond lights. The lights are better than what is currently at the city park.
- k) Mayor asked about condition of Well house road, who maintains. Jaci explained the city maintains care of the road up to the gate and the school maintains beyond the gate.
- l) Council member Jacob asked about any response from Keenan Kelley.

Brad Jantz, City Attorney, presented an overview of Sunday Sales which included a copy of the State Statute. Brad explained the petition & election process. Council discussed the process, and had discussed the option of rescinding the Ordinance. After further discussion, they felt it would give a wrong impression. Council decided to vote on the Ordinance presented with addition by the City Attorney in section 4, KSA 41-2911 instead of session laws.

MOVED BY JENSON AND SECONDED BY EMMEL TO APPROVE ORDINANCE 824 – SUNDAY SALES WITH NOTED CHANGES. MOTION CARRIED. COUNCIL MEMBER NOONE ABSTAINED DUE TO CONFLICT OF INTEREST.

MAYOR AND COUNCIL REPORTS

Mayor Eggleston gave an update on Harvey County Economic Development and the discussion of the Newton Logistics Park and the City of Newton. They were trying to get ideas, comments, suggestions. No commitments were made. KLP board needs to be re-organized since the County is no longer involved.

MEETING/DATE REMINDERS

City Hall Day – Topeka, Wednesday, February 5th
Leadership Summit – Manhattan, Friday, May 9th – 10th

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

Meeting adjourned at 9:05 PM

Janise P. Enterkin, CMC
City Clerk