

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

**May 2, 2016  
7:30 P.M.**

**PRESIDING:** Council President Thom Noone

**GOVERNING BODY MEMBERS PRESENT:** Richard Ludowese, Kirby Stucky, Lynne Vigil, Rick Jacob

**ABSENT:** Mayor, Rodney Eggleston

**ATTENDING:** Jaci Reimer, City Administrator; Janise Enterkin, City Clerk; Brad Jantz, City Attorney; Pilar Martin, Harvey County Independent; Roger Masenthin, NRCS; Gay Spencer, NRCS; Shannon Catlin; Ted & Janelle Brunner; Beth Ann & Ed Kingsley; Fred Bright, Cathy Medlin; Terri Jenson; Andrew Kovar, Triplett, Woolf & Garretson

ADDITIONS AND DELETIONS TO AGENDA

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

CONSENT AGENDA

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

**MINUTES OF THE REGULAR COUNCIL MEETING HELD APRIL 18, 2015.**

**PAYROLL CHECKS \$17,458.17**

**GENERAL DISBURSEMENT CHECKS \$71,155.23.**

**MOTION CARRIED.**

PUBLIC FORUM

**Andrew Kovar, Triplett, Woolf and Garretson**, bond counsel for the city, came to address questions concerning Green Energy. The city has legal ownership of the property and is not liable for any amount of loan payments owed by Green Energy.

**Shannon Catlin** came before Council to ask for permission to park on city property. She will be hosting the Spring Sports Banquet at her house on Sunday, May 22<sup>nd</sup>.

Consensus of Council to allow parking on city property.

**Roger Masenthin, NRCS**, came before Council to give an update and overview on the Sand Creek bank restoration project. The city is responsible for permits and land rights. The project monies must be spent by October 10<sup>th</sup>.

**MOVED BY JACOB AND SECONDED BY VIGIL TO PROCEED WITH THE NRCS SAND CREEK BANK RESTORATION PROJECT, 25% CITY MATCH INCLUDING IN-KIND SERVICES AND RESIDENT MONETARY INPUT WITH TOTAL PROJECT NOT TO EXCEED \$82,340.00. MOTION CARRIED 4-1, COUNCIL MEMBER STUCKY VOTED NAY.**

**Ted Brunner, 519 N. Commercial**, came before Council to present a plan and phases

1. The first phase will be the front of the building, getting awnings down and storing them. Windows will be covered with plywood to protect the original glass while removing awnings.
2. Underneath work, replacing sub frame that has deteriorated.
3. Waiting for bids from a contractor on repainting everything.
4. Back of building issues, re-installation of gutters to get water off back of building.
5. North side of building is covered with corrugated tin, plan to do something different later in the year.

Ted said, "I am trying to do this without worrying about the grant because that's a long ways off. This is going to take me some time, we are going to be using our own money as it becomes available, so I am looking at probably shortly after the first of the year, um time frame to get it done. Like I said it will be done on my own time, some of it will be contracted out. It won't be where I can devote 40 hours a week to it, until it is all completely done. Most of the work will be done on weekends, especially when I have a heavy equipment out there, so there is not a lot of foot traffic or anything for safety reasons and my time availability. After that, when I do get to looking at the grants, I think where I would like to use that if it is still available toward developing the inside of the building."

**City Administrator Jaci Reimer** explained to Ted Brunner the dates of when to apply for the historical district grant and the city's part in the application process.

Consensus of Council to approve plan presented by Ted Brunner and progress is seen.

**City Attorney Brad Jantz** said, "Probably at some point if Ted could give a time schedule with updates periodically is in your best interest in making sure everybody is on the same page."

#### STAFF REPORTS

**Jaci Reimer, City Administrator**, reviewed the following items with Council:

- a. Arbor Day re-scheduled for May 4, 2016 at 1:45pm in City Park.
- b. Good news, because of the main intersection improvements being on collector/arterial streets and the alleys being used for drainage purposes, approximately half will be considered exempt from our debt limit.
- c. Sold 9 items on Purplewave with a profit of \$17,364.60. This money will be put back into the respective departments from which the items were sold.
- d. 2015 audit has begun.
- e. Set dates and times for fireworks.
- f. 2 proclamations for approval, EMS & Police
- g. A group from the school will be painting metal tables from park and mosaic tops. They will also make a train scene on the old caterpillar. The city purchased the paint. Should be done by May 20<sup>th</sup>.
- h. Library building wall has collapsed on the upper level, north side. Jaci will call and get the moving company to move the library books.

Consensus of Council for staff to contact a company to cover the hole in the wall.

#### **Brad Jantz, City Attorney**

- a. Brad said he will meet with Ted Brunner on the 2<sup>nd</sup> element of compliance for the next Council meeting.

#### UNFINISHED BUSINESS

No unfinished business

NEW BUSINESS

MOVED BY VIGIL AND SECONDED BY JACOB TO SET TIMES FOR FIREWORK SALES AND DETONATION: 10 AM TO 10PM FRIDAY, JULY 1ST – SUNDAY, JULY 3<sup>RD</sup> AND MONDAY, JULY 4<sup>TH</sup> 10 AM TO MIDNIGHT. MOTION CARRIED.

MAYOR AND COUNCIL REPORTS

MOVED BY VIGIL AND SECONDED BY JACOB TO RECESS INTO EXECUTIVE SESSION REGARDING REAL ESTATE ACQUISITION FOR A PERIOD OF 15 MINUTES BEGINNING AT 8:44 PM WITH CITY COUNCIL, CITY ADMINISTRATOR, CITY ATTORNEY, CITY CLERK IN ATTENDANCE. MOTION CARRIED.

Meeting reconvened at 8:59 with no binding action taken in Executive Session.

MOVED BY VIGIL AND SECONDED BY JACOB TO ACCEPT THE LEASE AGREEMENT WITH JERRY ALDERSON FOR TEMPORARY LIBRARY HOUSING AT 435 N. COMMERCIAL AS PRESENTED AND SUBJECT TO STAFF REVIEW IF NECESSARY. MOTION CARRIED.

MOVED BY JACOB AND SECONDED BY VIGIL TO ACCEPT THE DONATION AGREEMENT AS PRESENTED AND UPON THE APPRAISAL PREPARED BY A CERTIFIED APPRAISER, SUBJECT TO STAFF REVIEW. MOTION CARRIED 3-2. COUNCIL MEMBER LUDOWESE AND STUCKY VOTED NAY.

MOVED BY VIGIL AND SECONDED BY JACOB TO APPROVE NATIONAL POLICE WEEK PROCLAMATION MAY 15-21, 2016. MOTION CARRIED.

MOVED BY VIGIL AND SECONDED BY NOONE TO APPROVE NATIONAL EMS WEEK PROCLAMATION MAY 15-21, 2016. MOTION CARRIED 4-1. COUNCIL MEMBER JACOB VOTED NAY.

MEETING/DATE REMINDERS

- a. May 4, Arbor Day Celebration 1:45 pm – Tree Planting, re-scheduled
- b. May 6, ICS Training for Elected Officials in Newton, 1pm – 4pm
- c. May 11, Council of Governments, 7am, Newton Breadbasket
- d. May 14, City wide Cleanup
- e. May 14, SCAC, 8:30 am, Botanical Gardens

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

Meeting adjourned at 9:12 PM

  
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Janise P. Enterkin, CMC  
City Clerk