

April 5, 2010

The regular meeting of the Carbondale City Council was called to order at was called to order at 7 PM by Mayor Towne.

Council present: Fulton, Vawter, Makowski, M Reynolds. Absent: G. Reed.

Employees & visitors: Richardson, J Reynolds, J Reed, K Reynolds, Attorney DeVoe; Holly Wakins, Rebecca Allison, Ed Sedam, Kim Bettis, Wayne White, Richard Tatro, Larry & Kandy Hinck, Lee Curtis, Marvin Stevens, Darrel Kinney, Emery Elliott, Jim Shively, Sheldon Pegram.

The minutes from 3-15-10 were read. Motion by Fulton, second by Makowski to approve the minutes as read. All in favor. Motion carried.

Bids for street repairs were opened. One bid was received from Bettis Asphalt at \$225,940. The bid was over the expected available funds. Discussion. Motion by Fulton, second by Makowski to accept the bid from Bettis. All in favor. Motion carried. The start date & schedule was discussed with Kim Bettis.

Police: J Reed presented a department report. Evacuation spots for a school emergency plan, review & increase of court fines & diversion fees were discussed. Currently 50% of diversion fees are deposited in the Police Equipment Fund. Motion by M Reynolds, second by Makowski to deposit 75% of diversion fees to the Police Equipment Fund. All in favor. Motion carried. Bids for new carpet at the Police office were reviewed. Carpet One (#1) \$2443.80 with lifetime warranty, Carpet One (#2) \$2261.47 with 5 yr limited warranty, Carpet Plus \$2700.49. Discussion. Motion by Makowski, second by M Reynolds to accept Carpet One (#1) for \$2443.80. All in favor. Motion carried. J Reed request replacement of 2 police vehicles using a 3 yr. lease. The repair cost on all three vehicles since Jan 2009-Feb 2010 was reviewed. Discussion. The council requested estimated cost to replace and equip the 2001 Impala for reviewed at the next meeting. J Reed stated the department main computer needs replaced, new tower & screen. The departments computers should be networked & an off-site back up system considered.

Maintenance: Richardson had asked Kim Bettis to look into the drainage problem in front of the post office. Bettis stated, in his opinion, adjusting the grade of the area would not solve the problem. The area above (east) the area needs to be trenched, with inlets & a tube installed. Richardson to check into cost to repair the drainage problem. Richardson stated leaves in the ditches are plugging culverts and causing problems with the condition of the streets. A list will be compiled and letters send to residents. The main lift station was down over the weekend. Alliance Pump was called in for repair, but the issue was at the Westar transformer. Continental Pools has brought to Richardson attention that there are individuals walking in & around the pool construction site. Continental would be liable for any injuries & asked that no one enter the site. Fulton stated he would speak to the individual. Tires were replaced on the 2001 Chevy truck. The pool will be ready to open on Memorial weekend. Richardson contacted 3 plumbers for bids on the pool bathhouse & concession area. Only one bid was received from Pat the Plumber, \$9817.00. Continental Pools gave an estimate on the work needed, \$7642.00. Motion by Fulton, second by Makowski to tentatively approve Continental Pool estimate, if funds are available. All in favor. Motion carried. It was suggested that volunteers may be willing to paint & replace the roof along with other minor repairs. Josh Reynolds attended the KRWA conference & took the tests for Water & Wastewater certification. It will be a couple of weeks before the results are available.

Fulton stated there was nothing to report on the easements for the Osage St Bridge Project.

Tatro presented suggested changes to the Zoning Bylaws. The change will establish meeting protocol to keep the meetings moving in a timely manner. Motion by M Reynolds, second by Makowski to approve the changes to the Zoning Bylaws. All in favor. Motion carried.

An ordinance on prohibited practices regarding trash container placement was read aloud by M Reynolds. Motion by M Reynolds, second by Makowski to approve the Ord 449-2010, which amends Ord 419. All in favor. Motion carried.

Troy Kuhlman has informed the office he will not be filling the fish feeders. Makowski offered to fill the feeders without compensation. Motion by M Reynolds, second by Vawter to allow Makowski to fill the fish feeders as "in kind service." 3 in favor; Makowski abstained. Motion carried.

Pay request #6 to Continental Pools was reviewed. Motion by M Reynolds, second by Fulton to approve the payment of \$121,185.00 to Continental Pools. All in favor. Motion carried.

Motion by M Reynolds, second by Makowski to recess at 8:14 PM for 10 minutes. All in favor. Motion carried. The meeting was called back at 8:26 PM.

Dispute of high water bills: Ed Sedam discussed his high water bill with the council. The meter was replaced & will be tested. It could take 2-3 weeks before the meter can be tested. Sedam stated he has checked the meter & it seems to be normal. Discussion. No action can be taken until the meter is tested. No late fee will be charged on a disputed bill. The resident of 124 W David was not present to discuss the high water bill.

Holly Watkins requested water service to a property outside the city limits. She owns an empty lot on N 4<sup>th</sup> St, which is adjacent to the property. The property is within RWD # 5 area, so they would have to release her as a customer. Motion by Fulton, second by Makowski to allow the meter with a written release from RWD #5. All in favor. Motion carried. Issues with the installation of the water service were discussed. The meter would be placed in the easement along N 4<sup>th</sup> St, but the main line is on the south side of the street. There would be additional cost of boring under the road. Richardson suggested 1" meter, due to the distance from the house. This would also be an additional cost. Watkins requested a cost estimate to install the meter, before going any further.

Darrel Kinney & Emery Elliott presented the council with information on the proposed County road system. Elliott asked for someone in Carbondale to help with a door-to-door petition to bring the issue to a public vote. Discussion. No action was taken by the council.

The council reviewed a written complain on horses riding being ridden in town. Kansas State Statutes allow horses on the roads, as long as they obey the traffic laws. The horse dropping could be considered a health issue under the nuisance ordinance. A letter should be sent advising to contact the police department at the time of the incidence. The letter should also include the KSA & ordinance.

Jim Shively addressed the council on the bulk water rates. He was under the impression the rates were to go down. It was stated the rates would be looked at when the other water rates were increased. A comparison sheet of bulk water cost & the cost for someone outside the city limits, was available for review. The figures showed the cost to be very similar. Fulton stated, in the past, it has been suggest that the bulk water station be closed. The council has always kept it open.

A donation letter was reviewed. Motion by Fulton, second by M Reynolds to donate \$50 to the SFT Renaissance. All in favor. Motion carried.

Motion by Makowski, second by Fulton, to go into executive session until 9:25 PM to discuss contractual issues with the attorney, Richardson, & Schiffelbein in attendance. All in favor. Motion carried. The meeting was called back to order at 9:25 PM. Fulton stated the executive session was for 10 minutes with no decisions made.

Motion by M Reynolds, second by Makowski to approve the amendment to the 2007 Water Supply Contract with RWD #5 & authorize the mayor to sign when the amendment is approved & signed by RWD #5. All in favor. Motion carried.

Motion by Fulton, second by M Reynolds to pay all approved bills. All in favor. Motion carried.

Stevens asked about the dangerous structure proceedings for 218 Main. Attorney DeVoe stated building is being purchased on contract. The new owners have requested an opportunity to repair the building.

There being no further business to come before the council, motion by Makowski, second by Fulton to adjourn at 9:30 PM. All in favor. Motion carried.

Sandra Schiffelbein, City Clerk