

October 18, 2010

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

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

Employees & visitors: Richardson, Sherwood, J Reed, K Reynolds, Attorney DeVoe; Susie Whalen, Kandy & Larry Hinck, Joanna Sherwood, Mickey & Michelle Young, Marvin Stevens, Joe Greene, Paula Tryon, Lee Curtis, Richard Tatro. After the meeting had began, Monica Ortiz, Christopher Snyder.

Minutes of 10-04-2010 were read. Motion by M Reynolds, second by G Reed to accept the minutes as read. Motion carried.

Police: J Reed stated the part-time officers are attending training. He received an email from Dodge. They still have 2010 Police Chargers in stock, which are priced \$3500 below the 2011 model. K Reynolds stated a complaint on dogs was received this morning. The resident wanted the council to be aware of the issue. He has talked to the Chief, but nothing is being done. J Reed stated he has not received any calls from the area on dogs & the police dept needs to be informed when the dogs are out.

Maintenance: Richardson stated the cost to repair the window at the police dept will be \$550, with an additional \$580 for other repairs to the building. Motion by G Reed, second by Makowski to authorize the purchase of materials, with the work to be done by the Maintenance Dept. Motion carried. Richardson reported RWD 5 called to have water shut off for approximately 5 weeks while they do testing. A bill from Emcon was reviewed. Richardson stated the area has not been seeded & he will contact Emcon. A letter from Ortiz on the fire meter for 13450 S Topeka was discussed. No action was taken until Ortiz attends a meeting. A letter will be sent informing Ortiz, she must attend a council meeting.

The solid waste contract was discussed. The clerk stated an amendment to the contract reflecting the increase in cost seemed more appropriate than a new contract, since it was written for a term of 2 years. Motion by Vawter, second by G Reed to amend the contract price. Motion carried. Motion by M Reynolds, second by Makowski to allow the Mayor to sign the amendment as soon as it was ready & agreed by Osage Waste. Motion carried.

An ordinance increasing the monthly trash fees to \$12.87 was reviewed. Motion by Reynolds, second by Makowski to adopt Ordinance 456-2010 fixing fees for residential refuse service charges and repealing ordinance No. 451-2010 effective Nov 1, 2010. Motion carried.

Zoning: Motion by G Reed, second by M Reynolds to reappoint Albert Sherwood as Zoning Administration, due to his return from military service. Motion carried.

The attorney stated she had look into the issue of cell phone use by employees. The IRS considers company owned cell phones as a taxable benefit, when there is personal use. The City can leave the employee handbook cell phone policy as is, adopt an auditing system of personal use, or change the policy to "personal use is prohibited." Discussion. Makowski stated he would like to research the issue. No action taken at this time.

Monica Ortiz & Christopher Snyder joined the meeting. Richardson reviewed the cost estimate for the fire meter which totaled \$8889. A permit has to be filed with the County to bore under the road. The permit would have to be filed on Monday before noon to be considered at the next County Commission meeting. Richardson estimated it could be 30 days before the meter was installed. Discussion of costs, fees, and payment. Ortiz stated it would be paid all at once. Motion by M Reynolds, second by Makowski that the City provide a fire service meter to Sweet County Home upon payment of expenses up front. Motion carried.

A complaint about tree limbs at 425 Main St was addressed by the council. Hinck stated he is removing the trees & putting them in a pile to burn.

Mickey Young stated there is a problem in his neighborhood with neighbors' cats, which has been going on for years. A copy of Topeka's ordinance on cats was available for the council's review. Young asked the council to consider regulating cats. Attorney DeVoe explained Topeka's ordinance. She also stated an individual may trap animals on their own property as long as it is humane & checked every 12 hours. DeVoe informed the council the issue of regulating cats has been brought to previous councils along with a draft ordinance. During previous sessions, it was felt that the cost of regulating cats would be too expensive. K Reynolds stated she had talked to the vet, who stated she has an agreement with Overbrook on impounding cats & will send a copy. J Reed stated he understood Carbondale use to employ an on call dog catcher. If we start regulating cats, J Reed asked the council to consider hiring an animal control officer. Discussion. City attorney will draft an ordinance on regulating cats.

The resident of acct # 0355 had verbally requested refund of the reconnection fee from Sept. The resident was not at the meeting. Discussion. The reconnection fee will not be refunded.

The council reviewed 3 requests for extensions. M Reynolds made a motion to grant extensions to accts #0029, #0826, and #0624. Vawter stated 2 of the accounts are submitting frequent extension requests. Discussion. The motion died for lack of second. Motion by Vawter, second by Makowski to grant an extension to account #0624. 3 in favor, M Reynolds abstained. Motion carried.

Motion by M Reynolds, second by Makowski to recess for 10 minutes at 8:12 PM. Motion carried. The meeting was called back to order at 8:22 PM.

Motion by M Reynolds, second by Makowski to go into executive session until 8:32 PM to discuss non-elected personnel, with Richardson in attendance. Motion carried. The meeting was called back to order at 8:32 PM. Vawter stated the executive was for 10 minutes with no decisions made.

Stevens wanted the council to be aware of a high school dance at the ELM building on Oct 29th. Teachers & Lions members will be there to chaperone. Once a student leaves the building they will not be allowed back in. Another lawn mower derby is scheduled for Oct 30th at the City Park. Stevens requested street parking is allowed as it was during the last event. J Reed stated that was OK as long as emergency vehicle could get through. Richardson stated the park bathrooms had already been winterized & locked. He could have them back in service by Oct 29th.

Motion by G Reed, second by Makowski to pay all approved bills. Motion carried.

There being no further business to come before the council, motion by M Reynolds, second by G Reed to adjourn at 8:36 PM. Motion carried.

Sandra Schiffelbein, City Clerk