

March 21, 2011

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

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

Employees & visitors: Richardson, Sherwood, Cox, J Reed, K Reynolds, Attorney DeVoe; Toliver Walker, Larry & Kandy Hinck, Richard Tatro, Susie Whalen, Mickey & Michele Young, Paula Tryon, Lee Curtis, Pat Kuney, Marvin Stevens, Brian Hinck.

The minutes from 03-07-2011 were read. Motion by M Reynolds, second by G Reed to accept the minutes as corrected. Motion carried.

Motion by Makowski, second by M Reynolds to go into executive session until 7:15 PM to discuss pending litigation with the attorney present. Motion carried. An extension of time was requested until 7:30 PM. The meeting was called back to order at 7:31 PM. Vawter stated the executive session was for 25 minutes with no decisions made.

Police: Mayor Towne asked Mr Walker to speak. The council had reviewed his complaint & was allowing him 5 minutes. Walker stated he wanted to make a complaint about the police, because he could not get a hold of the police. He spoke of an instance of damage to his property. Chief Reed stated this incident happened approximately a year ago. An investigation was started, but within a couple of days, Walker entered into a civil agreement. The civil agreement made it unable to file criminal charges. He also stated the department has responded to every call at Walker's property. Makowski asked Walker if the Chief had responded to his calls, to which Walker replied "yes" & talked about the written agreement. Walker was thanked for his time.

Chief Reed stated the Dodge Charger was backed into on private property the other day. The person's insurance should be responsible for the damages. He has two bids & asked for direction on the repairs. M Reynolds asked if the insurance would pay for the decals. Chief Reed stated the City should not be out any money. The council stated to get with the Mayor and make a decision. Chief Reed stated the employee evaluations are complete, but he did not get them into the office today. An inventory draft has been completed. There will be one copy for the City Office & one for the department when finalized. Executive session was requested on personnel by the Chief & Officer Kane.

Maintenance: Richardson reported on a water leak on the intake pipe at the water plant on top of the dam. The Dept of Water Resources was contacted. The leak was repaired & waiting for the area to dry out to finish the ground work. Another leak was repaired behind the school. The fish feeders have been worked on to get them ready for the season. Richardson asked for permission to place the feeders, using his personal boat. Motion by M Reynolds, second by Makowski to allow Richardson to use his personal boat to place the fish feeders at East Lake. Motion carried. Sherwood was previously approved to attend the KRWA conference. He is taking his spouse & has paid all the spouse fees. Permission was requested to allow Sherwood's spouse to ride in the city vehicle or pay mileage to use his own vehicle. The opinion of the City Attorney was requested by the Council. DeVoe stated since this is a one-time thing & the request is being made before hand, it would be OK to do either. M Reynolds stated it would be cheaper to take the city vehicle. A waiver should be signed by Mrs. Sherwood. Motion by M Reynolds, second by G Reed to allow Mrs. Sherwood to ride in the city truck to the conference contingent on her signing the release. Motion carried. The maintenance employees evaluations are ready. The '01 Chevy truck is at Carbondale Tire & Auto for an assessment of repairs. The street repair bid sheet was reviewed & discussed. Start date set for June 1, 2011. Motion by Makowski, second by G Reed to approve the form of the street repair contract. Motion carried.

Hall Rentals: Discussion on use of the council room by organizations. Motion by G Reed, second Makowski that when the back room is in use, groups should contact the City Clerk & see if the council room can be reserved. 3 in favor, M Reynolds abstained. Motion carried.

Extensions: The delinquent list was reviewed. The council reviewed 2 requests for extensions. Motion by M Reynolds, second by G Reed to grant an extension to #0817. Motion carried. No action was taken on #0135, therefore not approved.

Meeting protocol: G Reed stated he would like to adopt Robert's Rule of Order for the meetings. If anyone wants to speak to the council, they would need to call or come into the City Office to be placed on the agenda or speak at the end of the meeting when asked if there are any comments. G Reed made a motion to adopt Robert's Rule of Order. The Clerk asked the council to review Robert's Rule, before adopting. The League of Kansas Municipalities has meeting procedures, which can be adopted. Makowski requested a copy of LKM meeting procedures before a decision is made. Motion died for lack of second.

The Mayor reminded the council, March 28th there is a public hearing on a dangerous structure.

Public comment: Makowski opened the floor for discussion. Curtis asked why a spouse is allowed to attend training & about the policy of only allowing employees in city vehicles. This is the first time a request like this has been made & the council is requiring a waiver be signed. Chief Reed stated his department was looking into a ride along policy, not a one-time incident. Sherwood has paid all spouse expenses. As long as a waiver is signed, the council did not have a problem with the spouse attending the conference.

Recess: Motion by M Reynolds, second by Makowski to recess at 8:05 PM for 10 minutes. Motion carried. The meeting was called back to order at 8:15 PM.

Executive session: Motion by Makowski, second by M Reynolds to go into executive session on personnel until 8:46 PM. Motion carried. The meeting was called back to order at 8:52 PM. Vawter stated the executive session was for 35 minutes with no decisions made.

Employee handbook: Motion by M Reynolds, second by Makowski that following the public hearing on March 28, 2011, there will be a special meeting on amending the employee handbook. Motion carried.

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

There being no further business to come before the council, motion by M Reynolds, second by Vawter to adjourn at 8:54 PM. Motion carried.

Sandra Schifflbein, City Clerk