

June 4, 2012

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

Council present: M Reynolds, Reed, Zerbe, Lister; absent, Traphagan.

Employees & visitors: Richardson, Kane, K Reynolds, Attorney DeVoe; Lee Curtis, Jim, Pat, & Shane Branson, Randy Piper, Larry & Kandy Hinck, Shellanne Thompson, Pat Kuney.

Minutes:

- 05-21-2012 minutes read. Motion by Reynolds, second by Zerbe to accept the minutes as corrected. Motion carried.

Public Building Commission: Annual meeting

- Motion by Reynolds, second by Zerbe to close the regular meeting and open the annual meeting of the PBC at 7:10 pm. Motion carried.
- The minutes of 06-06-2011 were read. Motion by Reynolds, second by Reed to accept as read. Motion carried.
- Nothing to report
- Motion by Reed, second by Zerbe to appoint Mike Reynolds as Vice-President. 3 in favor, Reynolds abstained. Motion carried.
- Motion by Reed, second by Reynolds to adjourn at 7:15 pm. Motion carried.

Regular meeting: Motion by Zerbe, second by Reed to call the meeting back to order. Motion carried.

Police: Kane

- 2012 Charger should be here next week
- Requested Amick be made a part-time officer. Lister asked if the background check was completed. Kane stated he is still waiting on the background check. Motion by Reed, second by Lister to bring Amick on as temporary part-time until the background check is available and the issue will be addressed on 06-18-2012. Motion carried.
- Discussed community service program
- Discussed disaster plan training in July. Motion by Zerbe, second by Reed to have all department heads attend the training. Motion carried.

Tornado shelter: Pat Branson

- Branson expressed concern that there are no tornado shelters in Carbondale.
- Discussion of shelters and the need for persons to unlock and supervise the shelters.
- Zerbe stated grant funds are not available at this time and an engineer must inspect and approve each sites.
- No formal action was taken on the issue.

Maintenance: Richardson

- Commercial Street was milled down on Friday and should be completed by the end of the week
- Contacted ACE electric on the water tower lights. They will have someone look at the lights, but no specific day was stated.

Library:

- City Attorney presented a draft of a Charter Ordinance changing the mill levy for the library
- Cashier address the council concerning the current mill levy for the library and requested lifting the 4 mill limit
- Discussion
- Motion by Lister, second by Reed to lift the library 4 mill limit, repeal Charter Ordinance 4A, enact no cap and allow for an ordinance to be passed each year setting the mill levy for the library. Motion carried.

#### Sewer rates:

- Engineer Pat Cox and grant writer Donna Crawford will be at the next meeting
- A draft ordinance increasing sewer rates was reviewed and discussed
- Discussion of the grant funding process
- Richardson will request a representative from KDHE attend the next meeting to address public concerns on the need for the project

#### ATV ordinance:

- Attorney DeVoe stated the ATV ordinance is on the agenda because people are already riding on the streets and other citizens are expressing concerns
- The ordinance will not be in effect until the codification is complete.
- The current ordinance and proposed ordinance were both reviewed and discussed
- Motion by Lister, second by Reynolds to resend the ordinance allow utility vehicles on the city streets. Council was polled. Lister, resend; Zerbe, keep; Reed, keep; Reynolds, resend. Mayor Towne voted to break the tie; Towne voted to resend. Motion carried.
- Reed stated the full council should have voted on the fate on the ordinance. The Mayor agreed to put it on the agenda for June 18<sup>th</sup>. Reynolds stated it would be "do or die" on June 18<sup>th</sup> and Zerbe agreed.

#### Zerbe:

- Still waiting on cost estimates on the West Lake study
- Discussion of a City newsletter. Clerk stated the Water Quality report needs to mail by June 30 and it will include the newsletter. Zerbe is to send items he wants in the newsletter to the Clerk
- Emergency plan meeting with Mayor & staff is delayed until after the meeting in July
- Requested budget reports from the City Clerk

#### Dangerous structures:

- Reports on two properties with buildings that appear to be dangerous structures were reviewed by the council
- The attorney will draft a dangerous structure resolution for the shed at 432 Main Street and send a letter to the owner of the garage on S Topeka stating the structure needs to be repaired or torn down.

#### Recess:

- Motion by Reed, second by Reynolds to recess at 8:30 pm for 10 minutes. Motion carried.
- back to order at 8:41 pm

#### Nuisance properties:

- Reports on two vacant lots were reviewed by the council.
- K Reynolds requested direction from the council on the two properties
- The property at the end of Coal St has been cited before, with no response from the property owner who is out of state. There was no response from the property owner so no further action was ever taken. A letter should be sent to property owner of record to clean up the property.
- The property north of Dollar General was included in a public hearing and was given until April to clear. Hinck stated the property cannot be mowed because it is not level. Motion by Reed, second by Reynolds to extend compliance until the first part of Sept to take care of the weeds or burn off the property. Motion carried.

#### Fireworks:

- Council reviewed and discussed request from the resident at 302 S Kansas to allow them to set off occasional fireworks on Saturday, July 7, 2012.
- Motion by Lister, second by Reynolds, as July 4<sup>th</sup> is on a Wednesday, the time to discharge fireworks will be allowed until July 7, 2012 at midnight. Motion carried.

Executive session:

- Motion by Reynolds, second by Reed to go into executive session on possible litigation & contractual with the City Attorney & personnel until 9:10 pm. Motion carried.
- Extension of time was requested until 9:25 pm
- Back to order at 9:30 pm.
- Reynolds stated the executive session was for 55 minutes with no decisions made.

Personnel:

- Motion by Reynolds, second by Lister to hire Preston West as a temporary office assistant at minimum wage (\$7.25/ hr), not exceed 20 hours a week until school starts. Motion carried.

Bills:

- Motion by Reynolds, second by Reed to pay all approved bills. Motion carried.

Public comment:

- Curtis asked about handicap parking on Main St at the City Park. Reynolds spoke with the Maintenance Dept and they are working on cost estimates.
- Zerbe stated they are also looking into installing a parking on the vacant lot in the 200 block of Main with handicap accessibility for the businesses on Main St.
- Curtis suggested the City develop a funding program for residential storm shelters

There being no further business to come before the council, motion by Reynolds, second by Zerbe to adjourn at 9:38 pm. Motion carried.

Sandra Schiffelbein, City Clerk