

October 15, 2012

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

Council present: Reynolds, Reed, Traphagan, Zerbe, Lister.

Employees & visitors: Richardson, Sherwood, Kane, Quigley, K Reynolds, Attorney DeVoe; Steve Connelly, Randy Piper, Donna Kinnett, Jean Roberts, Phil Gordon, Shellane Thompson, Larry & Kandy Hinck, Marvin Stevens, Lee Curtis, Larry Vollard.

Minutes:

- 10-01-2012 regular meeting, minutes read. Motion by Traphagan, second by Reed to accept the minutes as read. Motion carried.
- 10-11-2012 special meeting, minutes read. Motion by Zerbe, second by Traphagan to accept the minutes as corrected. Motion carried.

Auditor: Steve Connelly

- Reviewed and discussed the water rate study
- Three years of audits were done. Reviewed and discussed the 2011 audit; made suggestions of improvements in procedures.
- Explained the GAAP waiver, stating GAAP accounting is involved and costly. Kansas Cash Basis procedures are more suited for small entities.

VFW Ladies Auxiliary:

- Kinnett and Roberts presented the council with a new flag to replace the current worn flag at the maintenance shop.
- Mayor and council thanked the Ladies Auxiliary and accepted the flag.

PRIDE:

- Phil Gordon informed the council the cost of Christmas lights for the community tree would cost \$184
- Motion by Lister, second by Reed for the City to purchase the lights, with PRIDE reimbursing the City for half. Motion carried. Richardson is to purchase the lights.
- Discussion of how to get the lights on the tree since it has grown so large. The City does not have equipment which will reach the tree or to place the decorations on the light poles. It was suggest contacting a local tree service to help with the decorations.

Police: Kane

- Gave a verbal department report
- Information was given to the council on 4-man rule for police personnel. Other options were also included in the information.
- Lister asked, who are the officers. Kane stated Quigley and Brill are full-time, Thoman, Cox, and Amick are part-time. Kane stated part-time officers can work 520 hours. Thoman is on call just when they are low on staff, 8 hours a month.
- Discussion.
- Motion by Zerbe, second by Reed to go with Option 2 until January 1, 2013 and evaluate at that time. Kane's duties will be 51% administrative and allow a total of 4 full and part-time officers in any two week pay period with no overtime or comp time. Lister, Zerbe, Reed, yes; Reynolds and Traphagan, no. Motion carried.
- Reynolds questioned the purchases of ammo and magazines from Sports Mart totaling \$1594 over a week period. Kane stated he was under the \$200 dollar a day limit. Discussion. Attorney stated legally the entire order should have been brought before the council for approval.
- Mr Vollard requested a closed meeting and the attorney stated that is not allowed under the Kansas Open Meetings Act. He then continued with a concern over how the police dept was handling his case. He felt he was getting the run around. He and his insurance company have requested police reports on several occasions, but still do not have the report. The attorney advised Mr. Vollard that the case was a pending case and could not be

discussing it could hamper the investigation. Zerbe asked who instructed Mr Volland to come to the council meeting, because he should have spoke with the Mayor first. Volland stated Osage County Sherriff told him to speak with the council, the City Office did not suggest attending the meeting. Kane offered to meet Volland at the Police Office tonight and get him the report.

- Zerbe stated he was confused from last meeting, why Quigley was hired at \$1 per less than other the other full-time officers were recently hired. Zerbe stated Quigley should have been hired at \$12.50 per hour.
- The clerk asked for clarification on full-time officer hours. Policy has been they work up to a 43 hour per week, but Brill was hired at 40 hour per week. Motion by Traphagan, second by Lister to correct Brill to 43 hour per week. Motion carried.
- Motion by Zerbe, second by Reed to change Quigley's wage to \$12.50 per hour. Zerbe and Reed, yes; Lister, Traphagan, Reynolds, no. Motion failed.
- Discussion

GAAP waiver:

- Resolution 2012-01, 2012 GAAP Waiver Resolution was reviewed
- Motion by Reynolds, second by Traphagan to adopt Resolution 2012-01. Motion carried.

Recess:

- Motion by Reynolds, second by Reed to recess at 8:28 pm for 10 minutes. Motion carried.
- Meeting called back to order at 8:39 pm

Maintenance: Richardson

- Repaired a water leak at the ball park
- Plans to do point repairs on the sewer has been scheduled and will begin as soon as the parts are in.
- Meters will be read this week and blue flags will be placed by the meters so they can be located when it snows.
- Richardson stated that he is "on the clock" for council meetings; Sherwood attends as a citizen unless Kevin is unavailable, at which time Sherwood receives comp time.

Direct Deposit:

- Motion by Traphagan, second by Reed to approve the Mayor signing the ACH agreement and other paperwork for direct deposit of payroll. Motion carried.

Recreation ordinance: DeVoe

- Ordinances and State Statute concerning Recreation Commission were discussed.
- Motion by Reed, second by Reynolds to bring the Recreation Commission ordinance in compliance with current State law. Motion carried.

Piper:

- Asked if the ATV issue would be on the November ballot.
- The special ballot question was published in the newspaper and will be on the November ballot.
- Also stated the City office closing at 4 pm was not working for a lot of people.
- The clerk stated with the website, citizens are able to access most forms online and can email the office.
- Reynolds stated the complaint should be put down in "black & white" and can be placed in the night drop slot.
- Discussion

Proclamation:

- At the request of SOS, Inc., the council reviewed a proclamation declaring October Domestic Violence Awareness month in Carbondale.
- Motion by Lister, second by Reynolds to adopt the proclamation. Motion carried.

Economic Development: Zerbe

- Presented the Recovery Plan and asked that everyone review it and bring back to the next meeting.

- West Lake study was presented. Three phase project to revitalize West Lake to include horse and hiking trails, camp grounds, fishing, and a multi-purpose and equine arena at an estimated cost of \$183,646; projected camp ground revenue of \$28,732 per year
- Asked for the council to make a motion on the project tonight.
- Motion by Zerbe, second by Lister to an intent to revitalize the West Lake park area and make plans for Phase 1 of the project to commence once legal and monies are determined feasible for the project start. Motion carried. Zerbe stated the plan can be submitted for grant funding.
- Stevens brought up issue with access. The current road is just an easement for access. Zerbe stated the attorney is looking into the legal issues. He understood through Westar, we could name the road and annex it into the City and it would become a road.

Donation request:

- Motion by Reynolds, second by Traphagan to donate \$50 to the Harmonettes for the Halloween Costume Contest. Motion carried.

Lions Club: Curtis

- Request the 200 block of Main be closed from 6-8:30 pm for Trunk or Treat. Motion by Traphagan, second by Zerbe to grant the request to close the street from 6-8:30 pm. Motion carried.

Water Extension:

- Motion by Lister, second by Reed for the City Clerks to be authorized to determine if an extension should be granted and coordinate with the Mayor this month. Motion carried.

City Clerk:

- Requested clarification on procedures for citizens speaking at the council meetings
- The meetings are open to the public and if someone asks to be on the agenda, we cannot deny that request. Past procedure has always been, if someone has a complaint and is unwilling to put it in writing, we advised, they may come to a council meeting.
- Is the office to instruct every person to contact the Mayor with every complaint? Zerbe stated if the complaint is about a specific department, they should be instructed to contact the Mayor.

Executive session:

- Motion by Reynolds, second by Reed to go into executive session on personnel and contractual with the attorney present, until 9:58 pm. Motion carried.
- Called back to order at 9:58 pm. Reynolds stated the executive session was for 15 minutes with no decisions made.

Bills:

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

There being no further business to come before the council, motion by Traphagan, second by Zerbe to adjourn at 9:59 pm. Motion carried.

Sandra Schffelbein, City Clerk 22