

ALMA CITY COUNCIL
PUBLIC HEARING and REGULAR MEETING
August 18, 2009
5:30 p.m.

Mayor Maurice Baker called the Public Hearing of the Alma City Council to order at 5:40 p.m. with the following Council Members present: Dan Deiter, Paul Gronquist and Gary Lesline. Council Member Chris Torrey arrived at 5:50 p.m. and Council Member Pam Bales arrived at 5:55 p.m. City representatives in attendance were City Clerk Sharon White, City Utility Superintendent Jon Bolinder, City Attorney Tom Barnes and City Auditor Randy Gassman. Also in attendance were Ervan Stuewe with the Wabaunsee County Signal Enterprise and Bobby Daniel. Jim Robinson, State/General Manager, NE/KS with Galaxy Cablevision arrived at 5:45 p.m. The Public Hearing started late due to a lack of a quorum.

Mayor Maurice Baker declared the reason for the Public Hearing was for the purpose of hearing and answering objections of taxpayers relating to the proposed 2010 City Budget and 2010 Recreation Budget.

Mayor Baker opened the floor for public comment.

There was no public comment.

At 5:59 p.m. Council Member Paul Gronquist moved to close the Public Hearing. Council Member Dan Deiter seconded this motion. Motion carried. Mayor Maurice Baker declared the Public Hearing was closed.

At 6:00 p.m. Mayor Maurice Baker called the Regular Meeting of the Alma City Council to order with the following Council Members present: Pam Bales, Dan Deiter, Paul Gronquist, Gary Lesline and Chris Torrey. City representatives in attendance were City Clerk Sharon White, City Utility Superintendent Jon Bolinder, City Marshal Mark Falk, City Attorney Tom Barnes and City Auditor Randy Gassman. Also in attendance were Ervan Stuewe with the Wabaunsee County Signal Enterprise; Jim Robinson, State/General Manager, NE/KS with Galaxy Cablevision; and Bobby Daniel.

Mayor Maurice Baker asked everyone in attendance to stand to give the Pledge of Allegiance.

Under Public Comment:

- Bobby Daniel had several delinquent utility questions, which could not be answered because of the Open Record Act.

- Ervan Stuewe representing the St. John Lutheran Church discussed a variance request for a 30” strip on the south side of their property where the playground is located. He explained that volunteers are building playground equipment and because of miscommunication a chain link fence was installed, by mistake, 30 inches on City property. St. John Lutheran Church is requesting a variance so they do not have to move the fence. City Attorney Tom Barnes explained that a variance is not required; however, if the City consents they would be granted a license to use the property by which the fence is overset. After much discussion it was the consensus of the Governing Body to grant the use of the property by which the fence is overset to St. John Lutheran Church. It was noted that the City is in no way responsible for the fence.

The 2010 City Budget was submitted for approval. Council Member Pam Bales moved to approve the 2010 City Budget as submitted. Council Member Paul Gronquist seconded this motion. Motion carried.

The 2010 Recreation Budget was submitted for approval. Council Member Pam Bales moved to approve the 2010 Recreation Budget as submitted. Council Member Dan Deiter seconded this motion. Motion carried.

City Auditor Randy Gassman left the meeting at 6:10 p.m.

Jim Robinson, State/General Manager, NE/KS with Galaxy Cablevision reviewed the revisions made to the Galaxy Cablevision Franchise Agreement Ordinance.

An Ordinance granting a nonexclusive franchise to Galaxy Cablevision, Inc., a Delaware Corporation, its successors and assigns, to build, construct, extend, operate and maintain a Cable Television and Telecommunications System for the distribution of audio, video, and other telecommunications in, under and over public rights of way in Alma, Kansas, a Municipal Corporation was considered and discussed.

Thereupon, Council Member Dan Deiter moved that said motion be passed. Council Member Gary Lesline seconded this motion. Said Ordinance was duly read and considered, and upon being put, the motion for passage of was carried by the vote of the Governing Body, the vote being as follows:

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| Council Member Pam Bales: | yes |
| Council Member Paul Gronquist: | yes |
| Council Member Dan Deiter: | yes |
| Council Member Gary Lesline: | yes |
| Council Member Chris Torrey | yes |

Thereupon, Mayor Maurice Baker declared said motion duly passed and the Ordinance was numbered Ordinance 457, signed and approved by the Mayor and attested by the City Clerk.

Jim Robinson left the meeting at 6:20 p.m.

The minutes of August 4, 2008 were reviewed. Council Member Pam Bales moved to approve the minutes as amended. Council Member Dan Deiter seconded this motion. Motion carried.

The minutes of August 10, 2008 were reviewed. Council Member Pam Bales moved to approve the minutes as amended. Council Member Dan Deiter seconded this motion. Motion carried.

The bills were reviewed. Council Member Gary Lesline moved to pay the bills as submitted. Council Member Dan Deiter seconded this motion. Motion carried.

An ordinance regulating traffic within the corporate limits of the City of Alma, Kansas; incorporating by reference the "Standard Traffic Ordinance for Kansas Cities," edition of 2009, with certain omissions, changes and additions; prescribing additional regulations; providing certain penalties and repealing ordinance numbered 453 and other ordinances in conflict herewith was considered and discussed.

Thereupon, Council Member Paul Gronquist moved that said motion be passed. Council Member Dan Deiter seconded this motion. Said ordinance was duly read and considered, and upon being put, the motion for passage of was carried by the vote of the Governing Body, the vote being as follows:

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| Council Member Pam Bales: | yes |
| Council Member Paul Gronquist: | yes |
| Council Member Dan Deiter: | yes |
| Council Member Gary Lesline: | yes |
| Council Member Chris Torrey | yes |

Thereupon, Mayor Maurice Baker declared said motion duly passed and the ordinance was numbered Ordinance 458, signed and approved by the Mayor and attested by the City Clerk.

An ordinance regulating public offenses within the corporate limits of the City of Alma, Kansas; incorporating by reference the "Uniform Public Offense Code for Kansas Cities," edition of 2009, "with certain omissions, was considered and discussed.

Thereupon, Council Member Gary Lesline moved that said motion be passed. Council Member Dan Deiter seconded this motion. Said Ordinance was duly

read and considered, and upon being put, the motion for passage of was carried by the vote of the Governing Body, the vote being as follows:

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|--------------------------------|-----|
| Council Member Pam Bales: | yes |
| Council Member Paul Gronquist: | yes |
| Council Member Dan Deiter: | yes |
| Council Member Gary Lesline: | yes |
| Council Member Chris Torrey | yes |

Thereupon, Mayor Maurice Baker declared said motion duly passed and the ordinance was numbered Ordinance 459, signed and approved by the Mayor and attested by the City Clerk.

A resolution of the City of Alma, Kansas, adopting and providing for standards for procurement, bidding, and contract awards was considered and discussed. Council Member Pam moved that said motion be passed. Council Member Gary Lesline seconded this motion. Thereupon, Mayor Maurice Baker declared said motion duly passed and the Resolution was then duly numbered Resolution 2009-5 and was signed and approved by the Mayor and attested by the City Clerk.

A meeting request for Sharon White to attend the Kansas Municipal Utilities Training Session in Wichita, Kansas in September was approved and signed.

City Utility Superintendent Jon Bolinder reported and discussed the following:

- He reported that there is only one blower for the aeration basin currently in operation due to the second blower being in disrepair. He was not able to locate a used blower and a new one would cost approximately \$3,000.00. He explained that if the blower fails the aeration basin would turn septic in less than two days and as a result we would have disagreeable odors. He also explained that the blower could not be used with the new treatment plant that is going to be built; however, he thought the blowers could be sold once the City no longer had a use for it. After much discussion Council Member Pam Bales moved to purchase the blower. Council Member Dan Deiter seconded this motion. Motion carried.
- He reported that the invitation to bid the removal and replacement of concrete sidewalk and curb and gutter in the 100 Block of W 3rd Street is being advertised in the Wabaunsee County Signal Enterprise. Bids will be received until 4:30 p.m. – September 14, 2009.
- He reported that the city's insurance does not give a discount when the city participates in safety training. There was discussion concerning the City participating in the Kansas Municipal Utilities Safety Training Program. The cost would be \$5,006.00 a year with a possible increase

the second year. He reported there is a deadline to join and so it is imperative to make a decision as soon as possible. There was discussion about the possibility of including Wabaunsee County in the training and sharing in the cost. After much discussion Council Member Pam Bales moved to join the training program if Wabaunsee County was willing to share in the cost. Council Member Paul Gronquist seconded this motion. Motion carried. Utility Superintendent Jon Bolinder will talk with the Wabaunsee County Commissioners concerning this matter.

- There were several issues discussed concerning the disappointment in the construction of the sidewalk on the east side of Missouri between 6th and 7th Street. City Utility Superintendent Jon Bolinder reported he is aware of the concerns and is planning to talk with the contractor.

City Marshal Mark Falk left the meeting at 6:35 p.m. and Mathew Baker arrived at 6:35 p.m.

Mathew Baker, representing Wabaunsee County Crime Stoppers, informed the Governing Body they would like to hold an all night benefit softball tournament on September 12, 2009 and September 13, 2009 with a rain date of the following weekend. They have already received approval from the Recreation Commission to hold this event. After some discussion it was the consensus of the Governing Body to allow them to have the benefit.

City Clerk Sharon White submitted a bid to purchase twelve chairs for \$802.80 or twenty-four chairs for \$1,564.80, to be used at the Community Center, from Navrat's Office Supply. She reported that the Open/Door Club will have a meeting the end of August, 2009 to consider donating money to pay for some of the chairs. After much discussion Council Member Gary Lesline moved to purchase twenty-four chairs from Navrat's Office Supply. Council Member Pam Bales seconded this motion. Motion carried.

Mathew Baker left the meeting at 6:55 p.m.

At 6:55 p.m. Council Member Paul Gronquist moved to go into executive session until 7:05 p.m. to discuss matters covered under attorney client privilege and to have Jon Bolinder and City Attorney Tom Barnes in attendance. Council Member Pam Bales seconded this motion. Motion carried.

At 7:05 p.m. the regular meeting continued.

Council Member Pam Bales moved to send the correspondence letter to Hormel Corporation and Alma Foods concerning the Sewer Service and Wastewater Treatment Works Improvement Agreement dated March 31, 2008 as discussed in executive session. Council Member Dan Deiter seconded the motion. Motion carried.

Council Member Dan Deiter left the meeting at 7:07 p.m.

There was no action taken on any other unfinished business other than what was discussed above.

There was no other new business.

At 7:20 p.m. Council Member Pam Bales moved to adjourn to September 1, 2009 at 6:00 p.m. to conduct regular city business. Council Member Paul Gronquist seconded this motion. Motion carried.

Meeting adjourned.

City Clerk