

REGULAR MEETING, COUNCIL CHAMBERS; WASHINGTON, KANSAS; DATE: FEBRUARY 4, 2008

The Governing Body of the City of Washington, Kansas, met in Regular Session in the usual meeting place in said City on Monday, the fourth day of February, 2008, at 7:00 P.M. with the following members present: Mayor Harold H. Jones Jr. Council Members Randy Wyatt, Justin Cordry, Tom Dragastin, Meyler Gibbs and Gene Martin.

Not present: None.

Also present were City Administrator Tim Schook; City Clerk Denise Powell; Pat Cox, BG Consultants; Jason Brinegar, City Attorney; Bill Hays, Washington County News; Caroline Yungeberg, Tony and Gina Miller, Jerry Scheve, Dale Bond, Leca Good, Shirley Marrs and Sharon Huband, Pool Committee; Glenda Uhlrich, Washington, mobile home for day care.

Mayor Harold H Jones Jr. called the meeting to order at 7 p.m.

Xerox copies of the minutes of the previous regular meeting of Monday, January 7, 2008, were given to each Council Member for review. Council Member Meyler Gibbs moved to approve the minutes as amended. Correction to be, The Power Plant may be generating more during the summer months to shave peak demand as part of the new EMP project. Council Member Randy Wyatt seconded the motion. Motion carried.

#### APPROPRIATION ORDINANCE NO. 2008-02

“AN ORDINANCE ALLOWING FOR PAYMENT OF THE CITY’S BILLS AND DEBITS.”

Thereupon on motion made by Council Member Tom Dragastin moved for its adoption, that the City Clerk is hereby authorized and directed to issue payroll Check Numbers 3999 through 4064; warrant Check Numbers 34698 through 34795; and Wires -45 through -48 in payment of just bills and claims against the City and debit the appropriate fund for each expenditure. Thereupon Council Member Justin Cordry seconded the motion. Thereupon the motion carried.

SEWER: Pat Cox, BG Consultants, visited with the Mayor and Council about repairs to the sewer lift station. Cox said the lift station needs to be brought above grade, an emergency generator needs to be added as well as a telemetry system to notify personnel in an emergency. The old well will have to be abandoned also. City Administrator Tim Schook stated the City crews will do as much of the work as possible. Cost estimate is approximately \$240,000 according to Cox. Cox stated a decision on the financing needs to be made in order for the project to proceed. Options are a new loan through KDHE, adding to the existing loan with KDHE or a loan through a local financial institution. Cox state the loan through KDHE has a fixed rate (January’s at 2.66%) and can be paid off early. Council asked that a request for proposal be put together and sent to the local financial institutions.

There was discussion about adding the new sewer district on the northeast part of the City to the loan. Cox stated easement cost for that project would not be eligible for financing through the KDHE loan. Council decided not to combine the two projects as it would slow the sewer lift project down.

POOL: Caroline Yungeberg, Tony and Gina Miller, Jerry Scheve, Dale Bond, Leca Good, Shirley Marrs and Sharon Huband, pool committee members, presented a revised design and proposal. They asked the Council if the 1% sales tax question, revenue to be used to fund the pool, could be placed on the ballot. A meeting with Rick Ens, financial advisor, the Council and pool committee will be scheduled.

MOBILE HOME: Glenda Uhlrich, Washington, visited with the Council about putting a mobile home, to be used as a licensed day care with preschool curriculum, on Lot 4 in Block 1 of Emmons Addition in the City of Washington. Uhlrich stated she will continue the day care in her home for children birth to age two, and three, four and five olds would be moved to the mobile home. Uhlrich completed the application for permit January 25, 2008, and has paid the permit fee of \$20. As required by ordinance, the Governing Body is required to notify landowners within 300 fee of the proposed location. Letters were mailed Tuesday, January 29, 2008, and landowners have five days to respond. No action was taken.

ZONING: City Attorney Jason Brinegar stated he can begin work on the zoning policy and make it a long term project. Council Member Tom Dragastin said it is a project that needs to be addressed and done. Brinegar will work on the policy and review it with the Council in October or November.

15/36 PROJECT: On motion by Council Member Meyler Gibbs that the City Council go into executive session for approximately 10 minutes for land acquisition and attorney-client privilege. From 10:04 p.m. to 10:14 p.m. Council Member Randy Wyatt seconded the motion. Thereupon the motion carried unanimously.

On motion by Council Member Meyler Gibbs that the Council reconvenes to the regular session at 10:14 p.m. Thereupon Council Member Justin Cordry seconded the motion. Motion carried.

Council Member Randy Wyatt moved to approve spending not to exceed \$89,300 for the purpose of relocation of the John and Ruth Gaines house and an additional \$7,650 for the purchase of right-of-way. Council Member Gene Martin seconded the motion. Motion carried.

DISASTER PLAN: City Administrator Tim Schook reported the County has an upcoming meeting in March to update their disaster plan and ours will encompass their plan.

B STREET PROJECT: Washington County Commissioners will meet with the Washington City Council at 7:10 p.m. Monday, March 3 to discuss the B Street project.

FIREFIGHTER'S RELIEF FUND: Council Member Meyler Gibbs moved to authorize the Mayor to sign the Declaration for participation in the Firefighters Relief Fund for 2008. Council Member Justin Cordry seconded the motion. Motion carried.

KANSAS MORTGAGE REVENUE BOND PROGRAM: Council Member Justin Cordry moved to adopt Resolution 2008-2 and the Cooperation Agreement with Sedgwick County, Kansas and Shawnee County, Kansas. Council Member Tom Dragastin seconded the motion. Motion carried. Council Member Randy Wyatt abstained.

Whereas, Resolution 2008-2, A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF WASHINGTON, KANSAS, (THE "COOPERATING JURISDICTION") AUTHORIZING THE EXECUTION OF A COOPERATION AGREEMENT PURSUANT TO THE KANSAS LOCAL RESIDENTIAL HOUSING FINANCE LAW, K.S.A. 12-5219 ET SEQ., AS AMENDED, BETWEEN THE COOPERATING JURISDICTION AND SEDGWICK COUNTY, KANSAS AND SHAWNEE COUNTY, KANSAS (JOINTLY, THE "ISSUERS"), AUTHORIZING THE ISSUERS TO EXERCISE, ON BEHALF OF THE COOPERATING JURISDICTION, THE AUTHORITY AND POWERS CONFERRED BY THE KANSAS LOCAL RESIDENTIAL HOUSING FINANCE LAW IN CONNECTION WITH THE ISSUANCE OF SINGLE FAMILY MORTGAGE REVENUE BONDS.

Whereas, COOPERATION AGREEMENT PURSUANT TO THE KANSAS LOCAL RESIDENTIAL HOUSING FINANCE LAW, K.S.A. 12-5219 ET SEQ., AS AMENDED, BETWEEN SEDGWICK COUNTY, KANSAS AND SHAWNEE COUNTY, KANSAS (JOINTLY, THE "ISSUERS"), AND THE CITY OF WASHINGTON, KANSAS (THE "COOPERATION JURISDICTION"), AUTHORIZING THE ISSUERS TO EXERCISE, ON BEHALF OF THE COOPERATING JURISDICTION, THE FINANCE LAW IN CONNECTION WITH THE ISSUANCE OF SINGLE FAMILY MORTGAGE REVENUE BONDS.

CITY TO BE 150 YEARS OLD: City Clerk Denise Powell informed the Council that in the year 2010 the City of Washington will be 150 years old.

REGIONAL CLERK'S MEETING: The City of Washington will host the Regional City Clerk's meeting Thursday, February 21 at the Emergency Services Building.. Council Member Tom Dragastin made a motion to approve the purchase of a meal for those city clerks attending. Council Member Meyler Gibbs seconded the motion. Motion carried.

FEMA: Tim Schook, city administrator, informed the Council there would be a Federal Emergency Management Agency (FEMA) kickoff meeting Wednesday, February 13 at the Emergency Services Building.

SOFTWARE: Council Member Randy Wyatt made a motion to authorize Mayor Harold H. Jones, Jr. to sign the Annual Peopleware Agreement in the amount of \$3,040 with Computer Information Concepts, Greeley, Colorado. Council Member Justin Cordry seconded the motion. Motion carried.

MAYOR'S APPOINTMENT: Council Member Meyler Gibbs moved to accept the Mayor's appointment of Pat Linenberger to a four year term, April 1, 2008 through March 31, 2011, to the Housing Authority. Council member Randy Wyatt seconded the motion. Motion carried.

INDIVIDUAL COUNCIL MEMBER COMMENTS: Council Member Meyler Gibbs reported Cedar Hills Golf Course Board would like to buy a golf cart from Don Imhoff and sell raffle tickets for \$10 each to raise money for the course.

The Golf Course board is also looking at a lease purchase agreement through the City for a piece of equipment, according to Gibbs.

Council Member Randy Wyatt stated he has been approached by an individual with zoysia grass and asked if there is a burn ordinance in place allowing homeowners to burn the grass. City Administrator Tim Schook stated at this time there is not. Schook and City Attorney Jason Brinegar will work on an ordinance.

Council Member Justin Cordry asked about the City doing something to help get a certified preschool in Washington.

EMPLOYEE: Council Member Justin Cordry made a motion to increase Dennis Stigge's pay by 50 cents per hour effective the pay period beginning February 23, 2008. Council Member Gene Martin seconded the motion. Motion carried.

ELECTRIC DISTRIBUTION: Council Member Justin Cordry approved Raymie Jonte attending the four year Merchant Training Program for lineman at a cost of \$600 per year. Council Member Randy Wyatt seconded the motion. Motion carried.

The final cost of the crimp tool approved last month was \$1801.79, according to Tim Schook, city administrator.

VOLTAGE: Capacitor banks have been installed at the industrial site which gave the needed boost on voltage. However, when the bean plant shuts down it spikes voltage at Bradford Built and causes problems with their laser cutters. The City is currently looking into controllers for these cap banks.

LEASE: City Administrator Tim Schook informed the Council he has been contacted by Joyce Cobb, agent for Crossroads Wireless, about leasing space on the water tower for around \$900 per month for the purpose of installing a cell phone antenna. It would also require space for a small shed approximately 10'x15' to be located at the bottom of the tower. Schook stated he will have City Attorney Jason Brinegar review the contract.

ELECTRIC: Tim Schook, city administrator, said he hope to have the Jeffrey Energy contract completed by March 1, 2008, as part of the EMP 2 project. Sunflower has completed all communications installations to be compliant with SPP, which would allow the city's data to be compiled by KMEA and Rainbow. Rainbow Energy will start facilitating in April if all approvals get completed.

In order for EMP 2 to operate efficiently and to avoid late penalties, the member cities through KMEA will need to have a line of credit. It will require all cities put a deposit down of 10% of their city's largest bill held by KMEA in an interest bearing account. A yearly report will be sent out by KMEA to all the cities involved. The City of Washington's portion will be approximately \$15,000 and will be collected over a six month period. KMEA has been asked to provide us with a simple agreement or memorandum of understanding as to these deposited funds by each city.

To minimize the chances of having to call on this line of credit is the need to pay the monthly bill electronically. KMEA and the cities are working on the best approach for payment..

WIND ENERGY: City Administrator Tim Schook said he is finishing up the wind regulations He hoped to have it ready for approval at the March council meeting.

SEWER RATES: Council members reviewed a proposed ordinance to increase sewer rates. No action was taken.

ORDINANCE NO. 718: There came on for consideration an Ordinance entitled:

ORDINANCE NO. 718

AN ORDINANCE ANNEXING LAND TO THE CITY OF WASHINGTON, KANSAS;  
said Ordinance No. 718 was read in full, considered and discussed, thereupon Council Member Meyler Gibbs moved for its adoption and Council Member Justin Cordry seconded the motion. Thereupon the Mayor declared Ordinance No. 718 duly adopted and passed unanimously by all Council Members present, and the Mayor directed

that said Ordinance No. 718 be published in the Washington County News on Thursday, February 7, 2008, as provided by the Ordinance.

STATE SURPLUS: Street Superintendent is interested in purchasing a planer attachment for the skid loader and a self propelled/driveable sweeper from State Surplus. Asking price for the planer is \$1,800 and the sweeper \$3,500. City Administrator Tim Schook stated he asked Metz to negotiate a lower price. No action taken.

Schook said they were also looking at a dump truck for parts as a transmission is needed for the 1991 International and the bed is bad in the Kodiak.

ORDINANCE NO. 719: There came on for consideration an Ordinance entitled:

ORDINANCE NO. 719

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WASHINGTON, KANSAS; CHAPTER VI FIRE PROTECTION, ARTICLE 4 STRUCTURES DAMAGED BY FIRE, EXPLOSION, OR WINDSTORM

said Ordinance No. 719 was read in full, considered and discussed, thereupon Council Member Tom Dragastin moved for its adoption and Council Member Randy Wyatt seconded the motion. Thereupon the Mayor declared Ordinance No. 719 duly adopted and passed unanimously by all Council Members present, and the Mayor directed that said Ordinance No. 719 be published in the Washington County News on Thursday, February 14, 2008, as provided by the Ordinance.

ADJOURNMENT: Council Member Tom Dragastin moved to adjourn until Noon Thursday, February 7, 2008. Council Member Meyler Gibbs seconded the motion. Motion carried.