

## August 2, 2017

The Norton City Council met in regular session Wednesday, August 2, 2017, at 5:30 p.m., with Mayor Jim Miller presiding. Council members present were Jerry Jones, Dennis Gilhousen, Jeff Urban, Chriss McDiffett, Gary Lacy, and Ron Briery. Others present were Brian Thompson, Thaniel Monaco, Eric Hethcoat, Justine Benoit, Louis Keiswetter, Kaenon Keiswetter, Chuck Worden, J.P. Metzler, Lisa Herman, Zach Hughes, Dan Sisk, Cameron Archer, Jamie Amlong, Cynthia Cullumber, Gerry Cullumber, Karen Griffiths, Chad Buckley, and Darla Ellis.

Motion was made by Jerry Jones and seconded by Gary Lacy to approve the July 19, 2017, council meeting minutes as written. Vote taken. Motion carried.

The following building permits were presented:

Clayton Turman	- \$ 2,000	- Reroofing at 507 E. Washington
Ted Hadley	- \$ 2,000	- Construct steps onto side of house at 311 W. Woodfield
Joyce Sumner	- \$ 1,700	- Construct egress window at 1023 Churchill Drive
John Sanders	- \$12,000	- Construct garage at 314 N. Jones

Brian Thompson of Mapes and Miller presented the 2016 audit report, which was prepared in accordance with the Kansas Municipal Audit and Accounting Guide. He reported the City complied with all Kansas Statutes and no statutory violations or areas of non-compliance were found. He said the City is in good shape with their cash balances, and suggested the city consider creating a multi-year capital improvements fund and an equipment reserve fund to move some surplus funds into. Motion was made by Ron Briery and seconded by Gary Lacy to accept the 2016 audit report as presented, and authorize it to be filed with the State. Vote taken. Motion carried.

Kaenon Keiswetter stated he has submitted a rezoning request for a property on E. Lincoln Street. Mayor Miller stated the request will go to the Planning Commission for their recommendation. Kaenon stated he was told the City Administrator brought his name up during his brother's recent employee evaluation, and he didn't know why he was being mentioned in a negative manner, when he is just trying to start a business, and is going through the proper steps to do so.

Mayor Miller opened a Public Hearing for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of tax to be levied for 2018. The proposed total 2018 budget expenditures were published as \$13,316,340, with an estimated tax rate of 65.146 mills. The actual tax rate for 2017 was 65.166 mills. Chuck Worden was present on behalf of the Sebelius Lake Committee to request that the City consider budgeting money each year to help pay for the contract for water at Sebelius Lake. He said without the agreement, the irrigation district can take the water down to a low level. He asked that \$10,000 be used for next year to help pay the contract, for cleaner water and to show support of the local businesses. There were no other comments or questions from the public and the Public Hearing was closed.

Thaniel Monaco from BG Consultants was present to discuss the CDBG street project. The project is substantially complete and a payment request has been submitted for everything except seeding. He stated he lowered the retainage from 10% to 5%, and approved the contractor's application for payment #3 of \$76,606.89, which would leave \$33,148.48 retainage. The project has a one year warranty, which includes seeding; if areas don't come up, they will evaluate after 11 months and negotiate with them regarding reseeded or compensating the City to do it.

Justine Benoit presented Request #4 for Payment of CDBG Funds in the amount of \$41,367.72 to Bryant and Bryant for street construction, with the local matching funds in the amount of \$35,239.17 to Bryant and Bryant for a total payment of \$76,606.89. Motion was made by Jerry Jones and seconded by Chriss McDiffett to approve Request #4 for Payment of CDBG Funds. Vote taken. Motion carried.

Justine Benoit stated the environmental review on the 2017 electric distribution grant project is complete and will be submitted to the State for approval. Motion was made by Gary Lacy and seconded by Dennis Gilhousen to approve the Environmental Review on the electric distribution grant project. Vote taken. Motion carried.

Eric Hethcoat from BG Consultants stated he is working with City staff to prepare plans for the electric distribution grant project. He plans to have it ready for bid by the first of next year and expects the construction to begin around September of next year. He will also contact Prairie Land regarding completion of the new substation south of Norton. The project construction is estimated to take 2-6 months depending on how it is bid. Contractors have to show qualifications based on past projects, and the City will have the right to refuse a bid if the contractor is not qualified to complete the project.

Jamie Amlong stated he has ordered parts for the wastewater treatment plant. A Schreiber representative came and reviewed the plant and made recommendations of what should be repaired. Joyce Garrison is in Lawrence at training this week. Dan Sisk reported on the status of the various projects the electric distribution department has been working on.

Motion was made by Jerry Jones and seconded by Ron Briery to waive the formal third reading of Ordinance #1702. Jerry Jones stated he thinks the permit fee of \$150 should be increased for new construction projects over 1601 square feet. Karen Griffiths stated she will report his concern to the Planning Commission and ask them to look at it again. Vote taken. Motion carried.

Motion was made by Jerry Jones and seconded by Ron Briery to adopt Ordinance #1702, amending Chapter 4, Article 1 of the City Code, relating to building, re-roofing and demolition permits within the City. Vote taken. Motion carried.

Mayor Miller stated Zack Hughes and Wilson Ellis are completing their internships with the City this week, and thanked them for their work this summer as interns. Chad Buckley also thanked the summer interns for their hard work this summer and wished them well.

Karen Griffiths reviewed a Memorandum of Agreement with the Defense Information Systems Agency, for work being done at the Armory. She stated the property within the fenced area would be transferred to the Department of Defense. Motion was made by Jerry Jones and seconded by Ron Briery to approve the Memorandum of Agreement with the Defense Information Systems Agency. Vote taken. Motion carried.

Motion was made by Jerry Jones and seconded by Ron Briery to waive the formal first reading of Ordinance #1705, establishing a multi-year capital improvement fund. Vote taken. Motion carried.

Motion was made by Jerry Jones and seconded by Dennis Gilhousen to waive the formal first reading of Ordinance #1706, establishing a municipal equipment reserve fund. Vote taken. Motion carried.

Karen Griffiths reported the City Code Inspector sent a Notice and Order regarding dangerous buildings and environmental code violations at 814 N. Grant on February 23, 2017, and the violations have not been corrected. He requested that the Governing Body proceed with a Resolution. Motion was made by Jerry Jones and seconded by Ron Briery that the City Attorney prepare a Resolution regarding a hearing for the property located at 814 N. Grant, to be considered at the next council meeting. Vote taken. Motion carried.

Chief Gerry Cullumber reported the Police Department has had a very active schedule this past month and they are an officer short, which requires officers to work extra hours. He said the officers are doing a good job, and the deadline for police officer applications is August 9<sup>th</sup>. He is working with school officials regarding school starting, and the department will be enforcing the crossing intersections and speed limits. He stated the speed of trucks going through Norton will be patrolled more as well, due to complaints.

Chief Cullumber also thanked F&F Iron for helping the department dispose of their machine guns in compliance with Federal Law. Dennis Gilhousen stated the police department held a "Coffee with a Cop" program at the Andbe Home recently, and it was very well received.

City Administrator Chad Buckley reported the concrete work at the Telegram has been completed. The brick along Kansas Avenue will need to be replaced, and Steve Cole will be installing the sprinkler system and planting grass for the Telegram. A new 4" valve was installed this morning south of the museum. The electrical bypass project along Wilberforce has been completed. Crosswalks are being painted. Chad also stated he is getting bids for inspecting and cleaning the water tower. Second Street was reopened today, after a private sanitary sewer service was replaced. Jamie Amlong will be attending a utility maintenance class; the newest technology for lining water mains will be discussed.

Motion was made by Chriss McDiffett and seconded by Gary Lacy to approve the American Legion's request for 100 feet of curb and sidewalk replacement at 305 - 307 S. Second Street. The American Legion will hire a private contractor, and the City will pay for the cost of the concrete. Vote taken. Motion carried.

Chad Buckley stated the City of Beloit contacted him and is interested in buying more parts from the power plant. He also stated the Aquatic Center will be closed after August 13<sup>th</sup> for the season and asked if there is interest in having an employee pool party before it is drained. Motion was made by Dennis Gilhousen and seconded by Jerry Jones to approve an employee pool party on August 20, if it is possible to have guards available for it. Vote taken. Motion carried.

Jerry Jones asked if the accident which occurred recently involving a city employee in Elmwood Park was reported. Chad stated it was. Jerry stated a defensive driving course was suggested for employees about a year ago, and asked if it has ever been done. Chad said it had not. Jerry stated a power pole in the 500 block of E. Washington needs replaced as soon as possible. He also stated there has been a small water leak in the 500 block of N. Graves for about 10 days, and asked when it will be fixed. He said he has also been approached about fixing W. Washington Street and asked if the City is going to do anything. Chriss McDiffett stated nothing will be done this year. Jerry Jones said he has heard complaints regarding smoking at the fair and the feral cat problem.

Jerry Jones stated a few meetings ago, the City Administrator reported he is getting the downtown cleaned up for Valley Hope's 50<sup>th</sup> Anniversary celebration. He stated there is a big problem with trash in the gutters all over town and the grass and weeds are bad all over town. Motion was made by Jerry Jones and seconded by Ron Briery that the City not send out any weed notices until the City gets their own property under control regarding weeds and trash. Gary Lacy said the City should keep sending out notices but take care

of our own properties also. Vote taken. Motion carried. Motion tied 3-3 with Jerry Jones, Jeff Urban, and Ron Briery voting yes and Dennis Gilhousen, Chriss McDiffett, and Gary Lacy voting no. Mayor Miller broke the tie by voting yes, and suggested that Chad contact the County to see if the prison crew could work on the City property for a week.

Jerry Jones asked Chad if he has done the salary survey yet this year to review the payscale. Chad stated he got some information from the City of Oakley. Jerry asked Karen Griffiths what the definition is of an open meeting. She stated it is when a majority of a quorum meet or plan to meet. He asked if a committee meeting is an open meeting, and can you ask people to leave? Karen Griffiths said a committee meeting is an open meeting, and you can ask them to leave, but they do not have to.

Dennis Gilhousen reported Carol Ryan wants to donate a nice seating area with something in the middle to be placed in Pool Park. The Parks Committee thought her proposal looked very nice and she was encouraged to continue to look into this. Jody Enfield also met with the committee, representing the Modern Woodmen, and want to improve the playground equipment at the Veteran's Memorial Park. They encouraged them to proceed and come back with a plan after more information is obtained. Dennis Gilhousen said he saw in the minutes that the Parks Committee is to meet with the co-managers to discuss the pool. He will set that meeting up later.

Jeff Urban said there is a bad bindweed problem in town on personal property and city property, and asked what can be done. Chad was asked to contact Steve Cole or Chris Henson to see what can be done.

Chad Buckley and Utility Committee chairman Gary Lacy were asked to research the cost to bore one block for water lines.

Motion was made by Ron Briery and seconded by Jeff Urban to suspend the rules and waive the 3 reading requirement for Ordinance #1703. Vote taken. Motion carried.

Motion was made by Ron Briery and seconded by Jeff Urban to adopt Ordinance #1703, incorporating the 2017 Uniform Public Offense Code for Kansas Cities. Vote taken. Motion carried.

Motion was made by Ron Briery and seconded by Jerry Jones to suspend the rules and waive the 3 reading requirement for Ordinance #1704. Vote taken. Motion carried.

Motion was made by Ron Briery and seconded by Dennis Gilhousen to adopt Ordinance #1704, incorporating the 2017 Standard Traffic Ordinance for Kansas Cities. Vote taken. Motion carried.

Motion was made by Ron Briery and seconded by Gary Lacy to make necessary repairs to the ditch on West Street south of the Aquatic Park, and pour concrete if needed, to get the ditch to drain properly. Vote taken. Motion carried.

Ron Briery asked if it is the City's responsibility to maintain alleys. Karen Griffiths stated the City has an easement through the alleys. Ron Briery stated the alley north of Graves has overgrown trees that need trimmed. He also scheduled a Public Safety Committee meeting on August 28 at 3 p.m., to discuss an ordinance banning the use of cell phones while driving.

Motion was made by Jerry Jones and seconded by Ron Briery to authorize the transfer of \$1,000 from the Electric Fund to the Bond and Interest Fund, to provide sufficient funds for the bond and interest payment due for the Washington Square Bond Issue. This amount will be transferred back to the Electric Fund from the Bond and Interest fund after the next tax distribution is received from Norton County in September.

Motion was made by Jerry Jones and seconded by Ron Briery to approve the 2018 budget as published and presented. Vote taken. Motion carried.

City Clerk Darla Ellis reported the City received the new Blue Cross/Blue Shield premiums, and the rates are decreasing by about 10%. Both the City's and the employee's contributions will be reduced.

Motion was made by Ron Briery and seconded by Jerry Jones to approve Appropriating Ordinance #15. Vote taken. Motion carried.

Motion was made by Ron Briery to adjourn. Council adjourned at 7:25 p.m.

ATTEST: \_\_\_\_\_  
City Clerk

Mayor: \_\_\_\_\_  
James L. Miller