

**CITY OF NEW STRAWN
COUNCIL MEETING
Thursday, December 14, 2017
New Strawn City Hall
7:00 p.m.**

Call to Order: Mayor Mark Petterson called the regular monthly meeting of the New Strawn City Council to order at 7:00 p.m. at City Hall.

Those present were: Council Member Jim Weeks
 Council Member Jeanne Haas
 Council Member Kraig Kirchner
 Council Member Bobby Bryant
 Council Member Gary Haehn arrived at 8:00 p.m.

Others present were:
 City Superintendent Ron Parkey City Clerk Kerry Templeton
 City Maint. Worker Steven Dwight Rhonda Taylor
 Russ Taylor County Commissioner Bob Saueressig

Flag Salute: The meeting opened with the Pledge of Allegiance.

Agenda Additions:

New Business:
 a. **ADDED:** Job Descriptions

Consent Agenda Additions:

Licenses:
 B. **ADDED:** Move to approve 2018 Plumbing License for Vernon Hess Plumbing
 C. **ADDED:** Move to approve 2018 Contractor License for Keim & Sons Inc.

Consent Agenda:

- Move to approve the November 9, 2017 regular council meeting minutes
- Move to approve the November 2017 warrants in the amount of \$18,501.96
- Move to approve the November 2017 payroll in the amount of \$11,203.74
- Move to approve 2018 Plumbing License for Freeman Plumbing, Heating & A/C, Inc.
- Move to approve 2018 Plumbing License for Vernon Hess Plumbing, LLC
- Move to approve 2018 Contractor License for Keim & Sons, Inc.
- Move to renew city clerk's annual membership in IIMC and to pay 2018 membership fee in the amount of \$160.00
- Move to pay League of KS Municipalities membership dues for 2018 in the amount of \$508.73

Council member Bryant moved to approve agenda with additions as presented. Kirchner seconded. Motion passed 4-0.

Public Comments:

None

Council member Bryant moved to approve the consent agenda with additions as presented. Weeks seconded. Motion passed 4-0.

Financial Report:

Council member Haas moved to approve additional warrants in the amount of \$369.00. Kirchner seconded. Motion passed 4-0.

Clerk Templeton spoke briefly about the issue of the City's end-of-month Cash Balance by Funds Report not reflecting all of the City's AP/AR between council meetings. She explained that the City's utility billing system through RVS has to be closed out at the end of each month and that is one reason the end-of-month QuickBooks reports are also closed on the last day of each month. Templeton had prepared an Additional Profit & Loss Report dated from December 1 – 14, the time period between end of month reporting and the council meeting, and will continue to do so for Council's review at each meeting.

Staff Reports:

City Superintendent Parkey stated it was time to start thinking about stocking trout in the City Lake for 2018. He had contacted Crystal Lake Fisheries and reported that the cost of the trout is increasing by twenty-five cents per pound (\$.25) and the freight is also increasing by \$25.00. There was brief discussion. Council member Bryant moved to spend up to \$2,000 to purchase trout for 2018 contingent on USD #244 Recreation Commission contributing \$1,500 towards the purchase. Kirchner seconded. Motion passed 4-0.

Parkey reported that he and Dwight had patched the bullet holes in the City's row boat, readied the snowplow and salt spreader for inclement weather, filled in a low sewer area at the park and leveled out a dirt pile near the ball field. Parkey noted that there is salt, chat and mix left over from 2016, enough for one snow event, but more will probably need to be purchased later on. Parkey also reported that he had attended a KRWA Wastewater training session in Iola that day to obtain hours required to renew his Wastewater license and will need to attend the KRWA Conference in March in order to obtain the remaining hours needed.

City Clerk Templeton reminded Council that they needed to pick a winner for the Lawn of the Month contest for December on Friday the 15th and email or call her with their choices. Templeton also reported that she had attended Year 4 of IIMC Municipal Clerks Certification Institute in Wichita in November and had graduated from the Institute. She is now a Certified Municipal Clerk for the state of Kansas. Templeton thanked Council for allowing her to attend the classes.

Zoning Administrator Carl Ware reported that one permit had been issued, Permit 2017-B-15 to Wolf Creek to erect a fence at 281 N. Industrial Dr. The permit was required because the fence exceeded seven feet in height. Ware also discussed an expired building permit for a pool on North 5th Street. Mayor Petterson had sent a letter on December 4 to the applicants explaining that the permit had expired because a fence had never been installed around the area where the pool was placed, or attached to the pool itself. The letter stated that the applicants will need to reapply for a permit in the spring.

Mr. Ware also reported that the New Strawn Planning Commission did not have a quorum present on December 5 so no meeting was held. He noted that there has been no quorum for the last two Planning Commission meetings scheduled. Another meeting has been scheduled for December 19 at City Hall at 7:00 p.m. Mayor Petterson stated that he has an individual interested in becoming a member of the Planning Commission and will speak with them and, hopefully, be able to appoint someone at the January meeting.

Mayor's Report:

Council member Haas moved to approve Resolution No. 94, a resolution declaring that City-Wide Cleanup shall be from this date forth scheduled in conjunction with the Coffey County free landfill service week. Bryant seconded. Motion passed 4-0.

A signed citizen complaint regarding a dog nuisance had been received on November 20 from Kraig Kirchner. The offensive party has been seen allowing her unleashed dog to defecate in the Kirchner's yard and has been reminded numerous times that New Strawn has a leash law and to cease allowing the animal to do its 'business' on their lawn, but to no avail. There was discussion. Clerk Templeton stated that she had received similar verbal complaints from other residents in town regarding the same issue – unleashed dogs-at-large being allowed to defecate on neighbors' lawns. She noted that the complaining parties stated it would not be such an issue if the pet owners simply picked up the 'deposited waste' when the animal had finished as a gesture of courtesy. She had also received a verbal complaint about unleashed dogs-at-large tearing into people's trash and displaying aggressive behavior. Templeton had discussed the issues with City Attorney McNabb who conveyed that a landlord cannot be issued a citation for a tenant's nuisance animal code violation. The citation for violation must be issued to the owner of the animal and, in two of the situations discussed, the name of the renter is not known. The issue of how nuisance animal problems are to be handled was discussed by Council. Superintendent Parkey and City Maintenance Worker Dwight will continue to handle nuisance animal complaints during regular working hours. If a dog or cat is caught 'at large' with no valid City license, the owner will try to be located before it is taken to the Burlington animal shelter. Cats are not required to wear their tags as it is a choking hazard, but they are required to be licensed. Dogs must wear their tags on a collar at all times. If an animal is found to not be licensed, or has become a nuisance, the owner can and will be fined.

Finance and Economic Development:

None

Community Building Report:

A signed contract for 2018 had been received from IBEW Local 225. Ducks Unlimited had been issued a partial reimbursement for rental fees in the amount of \$50.

Templeton stated that there continued to be an issue with people using the dumpster at the community building for personal use. A recent renter complained that the dumpster was so full they couldn't get their trash in it. There was discussion. The possibility of placing some sort of locking device on the dumpster will be explored.

Utility Report:

A water rate increase for the City of New Strawn was discussed. Effective January 15, 2018 the wholesale cost of water purchased from Burlington will increase by ten (10) cents per 1,000 gallons, raising the cost from \$4.59 to \$4.69 for the City of New Strawn, making an increase of

at least that much necessary for the City. The Council discussed the need to bolster New Strawn's Water Fund as well as other cost increases the City is experiencing, such as the monthly fee for the City's maintenance contract for the water tower, and it was felt that a larger increase was required. The maintenance fee will be increased by fifty cents (\$.50), from \$35.00 to \$35.50. The 'per thousand gallons' cost will increase by fifteen cents (\$.15), raising the 'in town' rate from \$9.10 to \$9.25 and the 'out of town' rate from \$13.62 to \$13.77. The minimum monthly water charge for 'in town' will now be \$44.75 and \$49.27 for 'out of town'.

Council member Haas moved to approve Ordinance No. 2017.07, an ordinance increasing water rates in the City of New Strawn, KS; amending Section 15-221 of the Code of the City of New Strawn, KS, and repealing Ordinance No. 2016-09. Weeks seconded. Motion passed 4-0 by a show of hands. The rate increase will be effective for the first billing cycle in January, 2018.

Street Report:

None

Public Relations Report:

Council member Haas reported that the Christmas tree lighting & decorating, caroling and Santa visit at the library had been well-attended and a fun event. She thanked Bob Saueressig for taking the carolers around town on his wagon and the library for helping the kids make ornaments for the tree and for having snacks and story time while the kids waited for Santa to arrive. Haas noted that the cost to the city was only \$17.00.

Park & Recreation Report:

None

Public Safety Report:

None

New Business:

Council member Weeks talked about the City Superintendent's job description in the Personnel Manual and previous discussions about including code enforcement as one of the responsibilities of New Strawn's City Superintendent. Weeks stated that the current job description lists one of the responsibilities as maintaining compliance with zoning and subdivision regulations and felt that section should be stricken as New Strawn has an appointed Zoning Administrator for that responsibility. Weeks also felt that the duty of code enforcement should be added to the description, effective as of January 1, 2018. There was discussion. Council member Kirchner thought Council had discussed making this change to the job description when a new City Superintendent is hired. Council member Bryant stated that he could understand adding the duty to the superintendent's job description now so that it will be in place and an understood responsibility for Parkey's replacement. Mayor Petterson noted that the Personnel Manual needs reviewed, including all city employee job descriptions, once other more pressing matters have been handled, such as getting the Comprehensive Plan and new zoning and subdivision regulations in place. He suggested that might be a better time to make this change to the superintendent's job description.

Council member Weeks moved to change the City Superintendent job description by striking the section pertaining to zoning and subdivision regulation and adding City Code enforcement as an added duty, effective January 1, 2018. Haas seconded for purpose of discussion. Council

member Haas wanted clarification and questioned whether this change would pertain to a new hire only and if Parkey would be 'grandfathered in' and not subject to the newly added responsibility. Discussion continued.

Council member Haehn was of the opinion that the added duty of code enforcement should take effect as of January 1, 2018, and that Parkey should have to perform that duty as stated in the job description.

Motion to change City Superintendent job description by deleting zoning and subdivision regulation and adding code enforcement, effective January 1, 2018, failed 2-3 with Haas, Bryant and Kirchner voting against the motion.

Old Business:

There was brief discussion about code enforcement and it was felt that the item should be tabled until the January regular council meeting.

Council member Bryant moved to table building and zoning permits until the January meeting. Haas seconded. Motion passed 5-0.

Other Business:

Council member Haehn moved to go into executive session at 8:11 p.m. for fifteen minutes to discuss employees' performance evaluations pursuant to the non-elected personnel exception under KOMA, and the open meeting resuming at 8:26 p.m. Kirchner seconded. Motion passed 5-0.

Open meeting resumed at 8:26 p.m.

Council member Bryant moved to go into executive session at 8:28 p.m. for fifteen minutes to discuss employees' performance evaluations pursuant to the non-elected personnel exception under KOMA, and the open meeting resuming at 8:43 p.m. Haehn seconded. Motion passed 5-0.

Open meeting resumed at 8:43 p.m.

Council member Bryant moved to go into executive session at 8:46 p.m. for five minutes to discuss individual employee's performance evaluation pursuant to the non-elected personnel exception under KOMA, and to invite employee Steve Dwight to attend, and the open meeting resuming at 8:51 p.m. Haehn seconded. Motion passed 5-0.

Open meeting resumed at 8:51 p.m.

Council member Haas moved to go into executive session at 8:52 p.m. for five minutes to discuss individual employee's performance evaluation pursuant to the non-elected personnel exception under KOMA, and to invite employee Kerry Templeton to attend, and the open meeting resuming at 8:57 p.m. Bryant seconded. Motion passed 5-0.

Open meeting resumed at 8:57 p.m.

Council member Bryant moved to go into executive session at 9:01 for five minutes to discuss individual employee's performance evaluation pursuant to the non-elected personnel exception

under KOMA, and to invite employee Ron Parkey to attend, and the open meeting resuming at 9:06 p.m. Haehn seconded. Motion passed 5-0.

Open meeting resumed at 9:06 p.m.

Council member Haas moved to go into executive session at 9:09 p.m. for three minutes to discuss employees' performance evaluations pursuant to the non-elected personnel exception under KOMA, and the open meeting resuming at 9:12 p.m.

Open meeting resumed at 9:12 p.m.

Adjourn:

The meeting adjourned at 9:15 p.m.