

COLDWATER CITY COUNCIL  
REGULAR MEETING

Monday, December 10, 2018

The governing body of the City of Coldwater met in regular session with the following present: Mayor Penny Bruckner presiding, Council members Mike Bushnell, Joe Ceballos, Andrew Evans, Daniel Hess and Jason Martin, Public Works Director Danny Shaw, City Employees Rodney Keith and Jason Roberts, Chief of Police Tyson Rosenberger, City Attorney Allison Kuhns and City Clerk Kristal Sherman.

Visitors included Melissa McGuire and Chris Bruckner.

Minutes from the November meeting were approved as written, motion by Jason, seconded by Daniel and the motion carried.

The council asked Melissa McGuire if she would be willing to be fill-in city clerk if Kristal would be gone for a long vacation or if an emergency situation would come up. She said if she increases her hours at Prairie Plaza to 20 hours per week and kept her part-time hours at the court clerk's office, her hours would be flexible enough to fill-in for Kristal. After discussion, it was agreed to hire Melissa McGuire as fill-in city clerk at \$10.00 an hour with a 90 day probationary period. Kristal said with January being so busy, she probably won't start training Melissa until February.

Public Works Director Danny Shaw said Rodney and Jason were here for the overtime issue they want to discuss with them, he said they were always asking why they don't get overtime for holidays or weekends they are on call to check the water wells when they do not work the 40 hours a week. The City policy is an employee has to actually work the 40 hours a week before any overtime is paid. After discussing the matter, Mayor Bruckner recommended they discuss it further toward the end of the meeting to give the council some time to think about the issue. Danny told the council after thinking about it, it would make more sense to move the police office back up to the front of the veteran's building where it used to be, and he could move his water office back to what is now the police "evidence room", which he thought would be plenty of room for him. That way they wouldn't have to take out the wall & cabinets to the back storage room and also wouldn't have to build a wall separating the storage room from the police office. The council asked Danny and Tyson to get together and look at the front office and see if it will work for the police office. Danny also told the council that he had a mechanic from Foley Equipment look at the loader and he estimated it would cost \$20,000.00 to fix it, he is going to have a mechanic from John Deere look at it also.

Chief of Police Tyson Rosenberger said he didn't have much to report, but said he had met with the city clerk and went over questions he had about his budget, and wanted to point out that the increase in the number of tickets written has caused the state fines that are remitted through his budget to be significantly higher which were not budgeted for this year. Kristal pointed out that it will be the same for the 2019 budget also since they had no idea they would be writing so many more tickets since they implemented the digiTicket system, but they would make sure and get it in the budget for 2020. Tyson also asked the council about setting up a separate fund for the diversion fines that are remitted so he could directly use that money. Kristal said she had asked the auditor about setting up a separate diversion fund and passed around an email auditor Aaron Koehn had sent explaining a diversion fund can be created by ordinance and published once in the newspaper, it would also be a "budgeted" fund and since the 2019 budget has been set, the budget would have to be amended to add the diversion fund. Kristal also explained that she keeps track of "diversion fees" as a line item in the general fund so they will always know how much has been deposited as diversion fees. The council agreed to keep the diversion fund the way it is now, part of the general fund.

City Attorney Allison Kuhns presented the council with a copy of the codification of the city's ordinances and asked the council to review the books and let her know of any changes they

might see need to be made. Daniel made a motion to approve Ordinance No. 2018-9, an ordinance authorizing and providing for the codification of the general ordinances of the City of Coldwater, Kansas, and the publication of such codification in looseleaf book form, the motion was seconded by Joe and the motion carried. Daniel also made a motion to approve Ordinance No. 2018-10, an ordinance adopting the codification of ordinances of the City of Coldwater, Kansas, authorized by Ordinance No. 2018-9 providing for the repeal of certain other ordinances not included therein, the motion was seconded by Jason and the motion carried. Allison presented Resolution No. 2018-5 for council approval. Daniel made a motion to approve Resolution No. 2018-5, a resolution of the governing body of the City of Coldwater, authorizing the Mayor and City Clerk to execute an easement from the City of Coldwater to Anthony J. Gales and Lisa L. Gales, the motion was seconded by Joe and the motion carried. Allison also reported she had no news on the oil and gas leases this month.

Mayor Bruckner presented a CMB renewal applications from Kings Corner 2. Daniel made a motion to approve the CMB renewal license for Kings Corner 2, seconded by Joe and the motion carried. She also presented a CMB renewal application from The Snappy Stop. Daniel made a motion to approve the CMB renewal license for The Snappy Stop, seconded by Mike and the motion carried.

Mayor Bruckner asked the council to schedule a special meeting the last week of December to approve year-end bills. The council agreed to set Thursday, December 27<sup>th</sup> at 5:00 p.m. for the special meeting.

Mayor Bruckner asked the council if they wanted to give the employees any extra days off for the holidays since Christmas is on Tuesday this year, she said the courthouse is closing Monday December 24<sup>th</sup> as well as the 25<sup>th</sup>. After discussion, Daniel made a motion to give employees a paid holiday on Monday, December 24<sup>th</sup> as well as Christmas Day, seconded by Joe and the motion carried. Daniel also made a motion to give employees paid vacation for half a day on December 31<sup>st</sup> as well as New Year's Day, seconded by Jason and the motion carried.

Mayor Bruckner reported that Aaron Blasi, our local Southern Pioneer serviceman, has made repairs to the electric plug-ins at Heritage Park so they could get their Christmas Lights to work in the park, he also helped them hang the lights as well without charging the City.

City Clerk, Kristal Sherman asked the council if they want to put the lake permits on discount as they have done in the past, usually the last two weeks of January. Daniel made a motion to offer the lake permits on discount from January 21<sup>st</sup> through February 1<sup>st</sup>, seconded by Jason and the motion carried. Mike asked if they should consider raising lake prices. After discussion, Mike said he would check some area lakes and see how our prices compare and would like to revisit lake prices at the next meeting. Kristal also reported she has received three applications for lake manager and asked if they had a timeline of when they wanted to get the lake manager hired. Daniel said he would like the ad to run in the paper a couple more weeks and then Daniel and Andrew, who are the lake committee, will interview the applicants and bring their recommendation back at the January meeting.

Mayor Bruckner asked the council if they want to give employee bonuses this year and if so, how much. Kristal gave them a copy of what was given last year and told them what they gave in 2016 also. After discussion, Joe made a motion to raise bonuses \$25 from last year which would be: Danny Shaw, Rodney Keith & Kristal Sherman receive \$325.00; Tyson Rosenberger receive \$275.00; Jason Roberts receive \$225.00, part-time employees...Debbie Dutton, Don Dutton, Connie Cox, Lanny Denney, Lynda Cooley, Lynda Keith, Sam McCleary and Jennifer Uhl receive \$125.00 each. The motion was seconded by Mike and the motion carried.

Mayor Bruckner asked the council to revisit the employee overtime from earlier in the meeting. After discussion, Daniel made a motion to change the policy to allow overtime to be used

on weeks' there is a holiday, but if they use a sick or vacation day, it will go to straight time, the motion was seconded by Andrew and the motion carried.

Bills in the amount of \$109,107.63 were presented for payment. Jason made a motion to pay the bills as presented, seconded by Daniel and the motion carried.

Under new business, Jason reported Richard Thompson had come by his house to talk to him about the issue presented a few months' back, the council purchasing the country club a mower and having the country club reimburse the City since Richard said he was told that Jason was one that was against it. Jason said he told him he was against doing anything illegal with the country club not paying sales tax and didn't want to get the City or council in any trouble. After discussing the matter again, the council agreed not to purchase the country club mower.

With no other business presented, Daniel made a motion to adjourn the meeting, seconded by Andrew and the motion carried.