

COLDWATER CITY COUNCIL  
REGULAR MEETING

Monday June 14, 2021, at 7:00 p.m.

The governing body of the City of Coldwater met in regular session with the following present: Mayor Penny Bruckner presiding, Council members Renee Blasi (after 9:00pm), Mike Bushnell, Robert Cardoza, Cleta Lampe, and Ashta Rosson, City Attorney Charley Herd, Public Works Director Danny Shaw, Chief of Police Devon Duffield and City Clerk Kristal Sherman.

Visitors: AJ Prusa, Patrick Wells, Don and Reva Nighswonger, Sue Peaster and Chris Bruckner.

Mayor Bruckner called the council meeting to order, City Clerk, Kristal Sherman conducted roll call. Minutes from the April meeting were approved as written, motion by Ashta, seconded by Cleta and all voted Yes.

AJ Prusa said she has ordered fireworks for the cheerleaders to sell and for the lake display and hopes they are here by June 27<sup>th</sup>. She said because of the pandemic a truck is having to go to California to pick them up. AJ asked the council's permission for the cheerleaders to be able to sell fireworks from July 1<sup>st</sup> through July 4<sup>th</sup>, the council agreed. She also asked the hours to shoot fireworks be: Thursday, July 1<sup>st</sup> until 10:30pm and July 2<sup>nd</sup>, 3<sup>rd</sup> & 4<sup>th</sup> until midnight. The council agreed.

Sue Peaster told the council she is concerned about her neighbor, last week there were 7 dogs, but this week she county only five. She said there is no water or electricity on in the house and he is not staying there, but the dogs are. She said that she and her husband have tried to give the dogs food and water, but it was hard to get it through the fence.....there is a "doggy" door for them to go in and out of the house, and it appears to her the dogs are being neglected. Don Nighswonger said everytime someone goes by the house, there is continuous barking and they have put up with it for years. City Attorney Charley Herd asked if the case ends up going to court if they would be willing to testify....Don said he would definitely be there for court. Charley then explained the legal process the City would have to go through to get the dogs out of the house.

Patrick Wells told the council his water pressure is very bad, he barely has any water. He said he was told by the Mayor there are funds that have been allocated to change out his water line. Danny told the council the company that is doing the project has been waiting on pipe that has been ordered, and he received word today that the project should get underway this coming Wednesday.

City Attorney Charley Herd asked the council to go into executive session for 30 minutes and have Danny, Kristal and Devon stay as well. Ashta made a motion the council go into executive session to consult with the City Attorney, and to include Danny, Kristal and Devon, seconded by Mike and everyone voted Yes. After returning to open session, no decisions were made. Charley asked if there was anything else needed from him. Cleta made a motion the council go into executive session for 20 minutes to consult with the city attorney, Don & Debbie Dutton and city clerk, the motion was seconded by Mike and everyone voted Yes. After returning to open session, Cleta made a motion to terminate the seasonal camper lease for Bret Nixon because of rule #2 of the lake rules and policies, seconded by Robert and all voted Yes.

Lake Co-Manager Debbie Dutton passed out new t-shirts to the council and employees. Debbie told the council the lake is very busy and they are totally booked for the 4<sup>th</sup> of July holiday. Debbie asked the council if they wanted to stay open late or close early on the 4<sup>th</sup>, the council told Debbie to close early on the 4th and enjoy the day.

Public Works Director Danny Shaw told the council the oil truck is in need of repairs amounting to \$4,200.00. Mike made a motion to allow Danny to repair the oil truck for \$4,200.00, seconded by Ashta and everyone voted Yes. Danny reported that well #3 is down, but he wants to wait to fix it until plans for the water system improvement project are finalized, he said it really didn't pump much water now anyway. Danny told the council there are several boxes of the flooring

leftover from the city hall remodel and he would buy them if they didn't have another use for it. The council agreed. Danny asked the council for permission to purchase new trees for the west park to replace the elm trees so the city wouldn't need to keep spraying the elm trees for bugs. Danny said he didn't think the elm trees would last too much longer anyway. After discussion, no action was taken but they did discuss different types of trees to replace the elm trees with....American Elm & Burr Oak were mentioned. Danny also reported that the sewer machine broke down today and needs repaired, but he doesn't have a cost estimate yet.

Chief of Police Devon Duffield reported he has class in Hays for 3 days next month for the safe start program, he explained new parents will be able to bring their infant car seats to him and he can safely install them. Devon also reported he's limited on his code enforcement duties because of the 4<sup>th</sup> amendment rights, he can't just walk on someone's property and look over fences and into windows.

Council member Mike Bushnell asked Danny if the dip on 4<sup>th</sup> & Central could be worked on to allow it to drain better, he said when we have a big rain the water backs all the way to Kings Corner gas pumps. Danny said that KDOT is responsible for 13 feet in from the highway, he said he will get with Klete Hackney at KDOT and see about getting it repaired.

Mayor Bruckner asked about getting the tree limb pickup scheduled. Danny said the only day it would work would be Monday, June 28<sup>th</sup> or it would need to wait until fall since Circle C Construction will be here after the 28<sup>th</sup> to chip seal some city streets and he didn't want to get the loader & trucks on the new chip sealed streets. The council agreed to June 28<sup>th</sup>, but made the stipulation that anyone who wants limbs picked up needs to call City Hall by 5:00pm Thursday, June 24<sup>th</sup> to be put on the list and only the ones that call to get on the list will get their limbs picked up.

Mayor Bruckner reported the Chamber of Commerce is planning a "Fun Day" for Saturday, July 17<sup>th</sup>. So far they have planned a car show, bouncy house for kids and electric car races. She asked for permission to block off the 1<sup>st</sup> & 2<sup>nd</sup> blocks of Main Street for the event. The council agreed.

Mayor Bruckner told the council she received a request from the United Methodist Church, asking the council to allow them to schedule their annual movie night for June 23rd on the east side of the Stick It Signs building and allow the UMC to use the 1<sup>st</sup> block of North New York Street, the council agreed.

Mayor Bruckner presented the revised Southern Pioneer franchise agreement to the council for approval. Ashta made a motion to approve the Southern Pioneer Franchise Agreement as Ordinance 2021-3, seconded by Mike and everyone voted Yes.

Under new business, Mayor Bruckner told the council that all cities in the nation are receiving government funds under the American Rescue Plan, and the City of Coldwater will be receiving \$111,656.06 with half the funds becoming available sometime in July and the other half will be available next year. She said the funds can be used for several different things, including water infrastructure.

Bills in the amount of \$160,242.34 were presented for payment. Mike made a motion to pay the bills as presented, seconded by Robert and all voted Yes.

With no other business presented, Mike made a motion to adjourn the meeting at 9:45p.m., seconded by Ashta and all voted Yes.