

COLDWATER CITY COUNCIL
REGULAR MEETING

Monday, November 19, 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 and Jason Martin, Public Works Director Danny Shaw, Chief of Police Tyson Rosenberger, City Attorney Allison Kuhns and City Clerk Kristal Sherman. Council member Daniel Hess was absent.

Visitors included Wynn Alexander and Chris Bruckner.

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

Wynn Alexander, representing the Comanche County Economic Development told the council he is here to ask if they want to renew the Neighborhood Revitalization program. He said once every three years it's up for renewal. Wynn explained it started in 2005 and is tax savings for new construction in the county. It needs to be approved by the municipalities because the cities receive proceeds from tax payments. Joe made a motion to approve the Neighborhood Revitalization Plan for the next three years, seconded by Mike and the motion carried.

Public Works Director Danny Shaw reported they have the Christmas wreaths up and the wiring is starting to go bad on them. He said he checked with the company and the sockets are irreplaceable, he just wanted to let the council know now in plenty of time for next year. He also said the banners are in bad shape, especially the red, white & blue vinyl ones that were purchased a couple years ago, he asked for permission to throw those away.....he said he probably has enough of the green cloth banners to put up on main street. Danny also reported he needs to replace the swimming ropes at the lake and to get the rope like we have now with the buoys, costs around \$7,000.00, the 3" poly rope (which should last longer) costs around \$5,000.00, he said they can't buy anything until after the first of the year, and will check to make sure the prices are still good on those at that time. Danny told the council the roller they recently bought from the State is broke down, he said he used it for one week patching and sealing streets and it worked great, but it now needs a hydraulic motor which is \$9,000.00 (the roller was purchased for \$13,000.00). He also told the council they should start thinking about updating/remodeling the bathrooms at the lake, the council recommended Danny get an estimate on one bathroom to see what it is going to cost to update and report back. Danny told the council that well #5 is now up and running for the first time in months. Danny also reported the Rural Water District has asked about the city transferring some water rights to them, he said he had talked to the State Division of Water Resources in Topeka, who told him "we can't just give them water rights", and found out it was going to be a complicated process to do so. Danny also reported that as of today the loader is down, he called Foley Equipment and they are going to try to get down to look at it as soon as they can. Danny asked the council to go into executive session. Joe made a motion the council go into executive session for personnel matters of nonelected personnel to discuss employee job performance for 10 minutes, it is to include the council, mayor, city attorney, city clerk and Danny, seconded by Mike and the motion carried. After returning to open session, there were no decisions made.

Chief of Police Tyson Rosenberger said he didn't have a report. Joe proceeded to ask Tyson how many hours he works in a month, Tyson told him "it depends on what's going on" and after looking up on his phone Tyson told Joe from November 1st to the 19th he worked 66 hours. Joe said he has received numerous complaints that he wasn't being visible enough, other council members and the mayor said they had heard the same complaints. Tyson said he was busy working on some other things and spending time at the sheriff's office. Joe also told Tyson he has already gone over spending his budget for the year with a month and a half left to go, and said he didn't feel like he was paying attention to his budget. He told Tyson he felt like he has made some unnecessary purchases

and used the car decals and new laptop as examples. He then asked Tyson if he knew how far over budget he was and Tyson told him "I have no idea".....Joe told him he is currently \$3,281.17 over budget. Joe also told Tyson he didn't want to "micro-manage" him, saying "it's your department, but I have some concerns", he asked Tyson to be more aware of his budget. The city clerk told Tyson he was welcome to come to city hall anytime to go over his budget.

City Attorney Allison Kuhns told the council that she has someone proof reading through the ordinance codification at this time and will have the final draft ready for their approval at the next meeting. She also reported she hasn't had much luck getting information from the oil and gas companies concerning the insurance for the oil and gas leases. Allison also said she will work on the easement for Main Street Pharmacy that Mayor Bruckner had reminded her about.

Mayor Bruckner told the council she had a guy from Sun City named Harry inquiring about the Blonde Grill building, he asked about starting up a micro brewery or an "adult exotic club", the council said they wouldn't have a problem with the micro brewery, but asked the city attorney if she knew the legalities of the "adult exotic club", she said she would have to do some research on that topic.

Mayor Bruckner said she has been talking about a place to move the police office so we can use the space where the police office is now as storage for the tables & chairs in the veteran's building. There has been talk about moving in a storage building and attaching it to the back of the veteran's building, but Danny said it's going to be hard to stabilize it to get it the height of the loading dock, he's also afraid they would fight a water issue and a support issue by cutting into the wall of the building. She talked to Emily Hackney about Jim Herrington's building for sale on east main street, and said they wanted \$20,000.00 for it. Discussion was then held on building a wall in the current police office to still give him room for an office, also making room for storage of the tables and chairs, and also giving access to the back store room of the building. The council took a break in the meeting to go look at the current police office. After they returned, the council and Tyson agreed to take down the south wall and build a wall separating the room for both a police office and storage room, but will not do anything until after the first of the year.

Mayor Bruckner said with Kristal going through a family emergency at the end of October, it prompted thinking about the need of a fill-in city clerk so she wouldn't have had to come in to do payroll at that time. Mike said she should feel like she can take a vacation at any given time instead of working around her job. Discussion was held on having Melissa McGuire, who is the current manager for Prairie Plaza apartments, trained to fill-in for the city clerk. After discussion, it was agreed to ask Melissa to stay for the December meeting and discuss possible hours and expectations with her.

Mike Bushnell asked what the status was on the CMS franchise agreement that was discussed months ago. Kristal told him that back in April of this year the council voted to accept the draft of the agreement as Ordinance 2018-1 that was presented by Kirk Thompson, General Manager of CMS Electric. After that meeting, she called Mr. Thompson to tell him the council adopted the franchise agreement, he told her he would take it before his board and that was the last she had heard from him.

City Clerk, Kristal Sherman had given the council a copy of the end-of-the-season financial report for the pool, the final concession total is -\$215.05 which is about \$1,200.00 less than the year before and actually has not ever been in the "red" figures that she knew of. Mayor Bruckner told the council she knew the amount was in the red, and knew there were lifeguards that were suspected of taking money, but didn't think there was anything to do at this point to prove if any money had been taken. The Mayor and council discussed ways to keep this from happening in the future.

Mayor Bruckner asked the council if they had read the anonymous letter that was sent to City Hall from a citizen complaining about the space behind Dave's Pizza, asking for a code enforcement

letter be sent to the owners. After discussion, the council agreed a code enforcement letter should be sent to the owner.

Bills in the amount of \$171,216.96 were presented for payment. Joe made a motion to pay the bills as presented, seconded by Jason and the motion carried.

Under new business, it was discussed to go ahead and start advertising for a lake manager for the 2019 lake season. Mayor Bruckner asked the council to give Danny an answer on whether he could go ahead and dispose of the red, white & blue vinyl banners since they are in such bad shape. The council agreed to have Danny dispose of those banners. Danny and Mike told the council that because of 911 emergency reasons, there is a need for street lights at Comanche Estates. Danny said he knew of a few of the homeowners that were against having street lights. Mike said they would be an unmetered, LED light only at the intersections and fire hydrants, and the cost would be approximately \$9.00 per light, per month. After discussion, the council tabled the matter until the next meeting because there wasn't a quorum to vote on the matter since there were 3 CMS employees on the council, it wouldn't be legal for them to vote with Daniel absent.

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