

COLDWATER CITY COUNCIL
REGULAR MEETING
Monday, March 11, 2019

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

Visitors included Ashta Rosson and Chris Bruckner.

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

Aaron Koehn with the accounting firm of Vonfeldt, Bauer and Vonfeldt, presented the 2018 audit report. He went through the report with the council and reported there were no statutory violations in 2018 and reported 2018 was a good year.

Chad Alexander with Circle C Paving from Goddard, KS told the council the city streets are in pretty good shape, he said our streets are better off than most cities and recommends the city keep up with chip sealing, crack sealing, and patching holes said that will keep them in good shape. The council asked Chad if they were to contract with Circle C to do 35 blocks this summer, what their timeline looks like. He said they have KDOT work in western Kansas they will start on soon, and could probably do the job in June. After further discussion, Daniel made a motion to hire Circle C Paving to chip seal 35 blocks at a price of \$111,204.00, they will use our existing rock (subtract \$18,620.00 from price) they will also use 6 pallets of crack sealing materials on our streets at a price of \$20,400.00, with a total cost of \$112,984.00, the motion was seconded by Joe and the motion carried.

Rick Penner with Viking Industrial Painting of Hesston, KS met with the council to discuss the water tower maintenance contract from his company. The contract spreads the water tower maintenance work over the next seven years at a cost of \$29,535.00 for the first six years then \$9,700.00 the seventh year and if the city wishes to continue the contract, the cost will be \$9,700.00 each subsequent year. Rick told the council the important thing with these towers is to be preventative, being proactive and stay ahead of things. After discussion with Rick, Daniel made a motion to enter into the water tower maintenance contract with Viking Industrial Painting, seconded by Renee and the motion carried.

Public Works Director Danny Shaw told the council the State has been testing for chemical in the water, he said he wants the council to know there is some of the chemical in the water and the State is going to monitor it, he said wells #5 & #6 are showing a higher level of nitrates which is caused by fertilizer. Danny reported the repairs with the loader are looking pretty good, they put a new set of injectors in it, tested the injection pump and they reported the compression on the engine is fine. So far they have spent \$6,100.00 on it. He also said he checked in on the roller and they hadn't started working on it yet. Danny said after checking on the cost of the poly pipe for the swimming area at the lake, it was going to cost more than he had told them at the last meeting. The poly pipe will cost around \$5,000.00, compared to the rope and buoys price at \$2,300.00. After discussion, Daniel made a motion to go ahead and buy the poly pipe since it will last longer, seconded by Mike and the motion carried. Sealed bids for repairs to the east bathhouse/restroom at the lake were opened with the results for both labor & materials as follows: KAT Construction (Kelsey Thompson) - \$10,120.00; Wilmore Home Improvement (Harlow Peaster) - \$9,000.00; Russ Hensley Construction - \$17,239.78; and Code Plus Remodeler (Arrow Zanghi)- \$18,000.00. Daniel made a motion to accept the bid from Wilmore Home Improvement for \$9,000.00, seconded by Joe and the motion carried 4 yes votes and 1 no vote. Joe asked Danny about the bill to repair well #6, and what was wrong with the well, Danny said the telemetry wouldn't kick on, but it is now fixed and running.

Chief of Police Tyson Rosenberger told the council he did not have a report, but he has been working on his new office and asked if they wanted to go take a look. The council took a break to go see the progress on the police office. Tyson said he hopes to get moved next week.

City Attorney Allison Kuhns told the council she still hasn't heard back from one of the oil and gas companies for insurance purposes. Allison reported the State has changed the Cereal Malt Beverage law to where all CMB licensed properties can now sell 6% CMB as of April 1, 2019 and, therefore, the City needs to approve an ordinance regulating the CMB update. Daniel made a motion to approve Ordinance #2019-1 which regulates the sale of enhanced cereal malt beverage and beer containing not more than 6% alcohol by volume within the City, the motion was seconded by Joe and the motion carried.

Mike and Jason, the pool committee, told the council they interviewed Jennifer Uhl and Roe Macias for the pool manager position. They went through the pros and cons of each applicant and after discussion, Joe made a motion to hire Jennifer Uhl as the 2019 pool manager, with the stipulation she be responsible for the concessions, seconded by Mike and the motion carried with 4 yes votes and 1 no vote. Jason made a motion to pay the assistant manager \$10.50 per hour any time the assistant manager is working at the pool, seconded by Renee and the motion carried with 4 yes votes and 1 no vote. The council also noted they would like the pool manager to attend the city council meetings during the months the pool is open.

Mayor Bruckner presented a letter that was received from the SCHS Sophomore class asking for donations to the after prom party. Kristal reminded the council they had given 10 lake permits as a donation last year. After discussion, Daniel made a motion to give 10 lake permits to the after prom committee for a donation, seconded by Jason and the motion carried.

Mayor Bruckner presented a letter from Kena and Darren Jackson, owners of The Fridge, asking permission from the City to extend their open hours for the Spring and Summer to being open Friday and Saturday from 10am to 10pm and Monday thru Thursday 10am to 9pm. The council agreed.

Joe said he had asked that nepotism be added to the agenda because the City has a nepotism policy in the employee handbook and because of the fact that Chief of Police Tyson Rosenberger is Mayor Bruckner's son-in-law, he feels that anytime they (being Joe and Mike as the police committee) have questioned Tyson about doing his job, he runs to Penny thinking they are "picking on him" and trying to micro manage his position, Joe said he doesn't feel Tyson is doing the job the City is paying him to do. After a heated discussion between Joe, the Mayor and Tyson, Joe made a motion to terminate Tyson as Chief of Police because of the nepotism policy, the motion died for a lack of a second. Daniel then made a motion the council go into executive session for 15 minutes for non-elected personnel job evaluation with the City Attorney present, seconded by Renee and the motion carried. After the 15 minutes, Daniel made a motion to go back into executive session for 15 more minutes for non-elected personnel job evaluation with the City Attorney present, seconded by Renee and the motion carried. After the 15 minutes, Daniel made a motion to go back into executive session for 10 more minutes for non-elected personnel job evaluation, with the City Attorney present, seconded by Renee and the motion carried. After returning to open session, Joe asked Tyson to turn in a time sheet every month documenting his hours worked. Joe then said he rescinded his earlier motion calling for Tyson's termination, but it had died for a lack of a second.

Mayor Bruckner then asked the council to review the full-time employees' evaluations and asked they go into executive session with each of the three employees present, Danny, Tyson and Kristal, one at a time to go through their evaluations with them. Renee made a motion to go into executive session for 10 minutes for non-elected personnel for job evaluation with Danny present, seconded by Jason and the motion carried. Renee made a motion to go into executive session for 10 minutes for non-elected personnel for job evaluation with Tyson present, seconded by Jason and the motion carried. Renee made a motion to go into executive session for 10 minutes for non-elected

personnel for job evaluation with Kristal present, seconded by Jason and the motion carried. After returning to open session, no decisions were made.

Bills in the amount of \$132,210.49 were presented for payment. Joe made a motion to pay the bills as presented, seconded by Jason and the motion carried.

Under unfinished business, Kristal asked the council what they wanted to do with the dormant savings account, after hearing the auditor explain the options. After discussion, Daniel made a motion to close the savings account and transfer it into a Certificate of Deposit, seconded by Jason and the motion carried.

Under new business, Joe asked the council to go ahead and go through the employees pay and the raises they had discussed earlier in the meeting. Joe made a motion to give the employee raises as recommended which are as follows: Danny Shaw – from \$4,648.57/month to \$4,680.00/month (from \$26.82/hour to \$27.00/hour), Rodney Keith – from \$15.00/hour to \$15.50/hour, Kristal Sherman – from \$18.19/hour to \$21.19/hour, Lanny Denney – from \$11.00/hour to \$11.25/hour, Linda Cooley – from \$11.00/hour to \$11.25/hour, Tyson Rosenberger will be re-evaluated in 60 days (at the May council meeting).

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