

Regular City Council Meeting  
City Council Chambers

July 17, 2012  
7:00 p.m.

Present: Mayor –	Joyce Hudson	Absent: City Attorney Mike
Bacon		
Council members	Jeff Kennedy Gary Fritch Tim Strauser Jeff Whiting	
City Administrator	Bruce Clymer	
City Clerk / Treasurer	Connie L. Dalrymple	
Police Chief	Randy Olson	

Press: *Gothenburg Times* - Beth Barrett

Also present: Shane Gruber, Atty. Steve Windrum, John Burkes, Tom Shea, Marilyn Sabin, Mike Eberly, Louis Bovitz

Mayor Hudson opened the meeting at 7:00 p.m. Advance notice and a copy of the agenda were given to the Council and members of the press. City Council meetings are conducted in accordance with the Open Meetings Act, a copy of which is available for public inspection on the north wall of the Council Chambers.

Kennedy moved, Strauser seconded, approving the consent agenda that included:

- City Council minutes – June 19
- Police Report - June
- Treasurer's Report - June
- Library Director's Report – May 8 thru July 9

Roll call vote: Yea – Whiting, Fritch, Strauser, Kennedy. Nay - none.

Whiting moved, Strauser seconded, allowing payment of the claims against the City, \$90,307.75, except #1323; Public Works Division \$496,292.18; and the June 20 payroll of \$46,753.84 and July 5 payroll of 45,570.77. Roll Call vote: Yea - Kennedy, Strauser, Whiting, Fritch. Nay - none.

Kennedy moved, Fritch seconded, to allow payment of claim #1323 to T & T Corporation. Roll call vote: Yea – Whiting, Fritch, Kennedy. Nay – none. Abstained – Strauser.

Community Comments:

- Jay Lewis thanked the Council for their co-operation on the June 30 car show. There were over 100 entries.
- Received thanks from the Todd Becker Fdn. for the City's co-operation on the June 10 Blockstop Tour held on Lake Ave.
- There will be a special Council meeting at 10 a.m. on July 24 regarding the Lake Helen improvement project.
- It is anticipated that south Lake Avenue will be opened to traffic early next week.

- We were able to use equipment from a private company working for Dawson County to repair cracks and potholes in our streets. The crew has done 27<sup>th</sup> Street, Avenues L and M, 12<sup>th</sup> Street, and 4<sup>th</sup> Street near McDonald's. We will finish our projects by week end.

We received two proposals for audit services:

	FYE 2013	FYE 2014	FYE 2015
Contryman Assoc.	8500.00	8700.00	8900.00
RJ Meyer Assoc.	8700.00	9000.00	9300.00

Both firms require an additional fee for a single audit if one is necessary.

We have used RJ Meyer Assoc. for several years and have been satisfied with their work. Meyer and staff are familiar with our system and projects occurring here.

Discussion was had and a motion made by Kennedy, seconded by Whiting, to accept the proposal offered by RJ Meyer Assoc. for auditing services. Roll call vote: Yea – Fritch, Strauser, Whiting, Kennedy. Nay – none.

Administrator Clymer notified the three trash companies of the changes he's proposing to the franchise. None have voiced objection. The changes are:

- Remove reference to the capacity of residential dumpsters, formerly it was 96 gallon containers.
- Removed reference to 'Exhibit A' regarding rates and removed reference to City fees. All rates are now contained in the utility rate ordinance.
- Removed the reference to statements since the billing is included on utility bills.
- Removed the requirement for a staffed office in town.
- Added requirements for roll-off dumpsters at the shop for Clean City Week, and specified times to dump them.
- Removed the 'no charge' requirement for emptying downtown dumpsters and added a \$2.50 payment for each of the 16 trash cans since they require manually removing and replacing the trash bags.

Discussion was had and a motion made by Strauser, seconded by Whiting, to approve the trash haulers franchise as proposed and submit it to each hauler for their signature. Roll call vote: Yea – Kennedy, Fritch, Whiting, Strauser. Nay – none.

Chamber Director Anne Anderson spoke to Council about the Pony Express Station and provided statistical information on numbers of visitors, receipts and expenses, and promotional activities. They are asking to renew the lease for another three years. Part of the lease has been to maintain and stock the park restrooms. She has no objection to the responsibility to keep it clean but asked Council to provide the supplies which cost \$300 - \$350 / year.

Fritch moved, Strauser seconded, to amend the Pony Express Station lease to include reimbursement for restroom supplies. Roll call vote: Yea – Strauser, Whiting, Kennedy, Fritch. Nay – none.

Fritch moved, Kennedy seconded, to extend the Pony Express Station lease, as amended, to the Chamber of Commerce. Roll call vote: Yea – Strauser, Whiting, Kennedy, Fritch. Nay – none.

The Chamber of Commerce Ag Committee is organizing the first annual Pony Express Barbeque Challenge on April 26 and 27, 2013. The event has been sanctioned by the Kansas City Barbeque Society; therefore, participants can earn points for similar events. They anticipate 35 cooking participants. It will be a family fun and food event that will include other events such as jump houses, laser shoots, and mutton busting. The desired location is Lafayette Park because the pavilion will be ideal for the judging area and the camp sites work well for those cooking. The park is shady and there are already picnic tables there. Each team is required to have a 20' x 30' space and the water and electrical hook ups will be a bonus. They will begin cooking on Friday and judging will take place from noon until about 4 pm on Saturday.

Kennedy moved, Whiting seconded, to allow the Chamber Ag Committee to use the Lafayette Park pavilion and campground for the Pony Express Barbeque Challenge on April 26 and 27, 2013. All fees will be waived. Roll call vote: Yea – Fritch, Strauser, Whiting, Kennedy. Nay – none.

Fritch moved, Strauser seconded, to pass and approve Resolution 2012-28 adopting the Central Platte NRD Multi-Jurisdiction Hazard Mitigation Plan. Roll call vote: Yea – Whiting, Kennedy, Strauser, Fritch. Nay – none.

Kennedy moved, Fritch seconded, allowing payment of \$3294.35 to Miller & Assoc. for Lake Avenue project observation and management. Payment will be made by registered warrant. Roll call vote: Yea – Strauser, Whiting, Fritch, Kennedy. Nay – none.

Whiting moved, Strauser seconded, allowing payment of request #1 from Paulsen Inc. on the Lake Avenue project, \$292,984.65, by registered warrant. Roll call vote: Yea – Fritch, Kennedy, Strauser, Whiting. Nay – none.

Administrator Clymer received two offers to conduct a rate design study:

NMPP – four payments of \$2930 including yearly adjustments

JK Energy - \$6250 plus a \$3000 fee for updates within three years.

We have used NMPP in the past and have been satisfied with their work.

Kennedy moved, Strauser seconded, to renew the contract with NMPP for utility rate design studies. Roll call vote: Yea – Whiting, Fritch, Strauser, Kennedy. Nay – none.

The City intended to install angle parking on 9<sup>th</sup> Street between Ave F and Ave G. In the past there have been three perpendicular parking spaces on the north side of the street. Property owner Jason Fiese objected to the change and Atty. Steve Windrum spoke to Council on Jason's behalf.

Jason's position is:

- Parking perpendicular to the curb is safer than diagonal because pulling straight out of a parking spot is safer than backing out.

- Perpendicular parking takes up less space than diagonal parking, especially when the vehicle is backed in. The sidewalk acts as a bumper.
- Perpendicular parking is the best design to load and unload vehicles.

The City Council's position is:

- The perpendicular parking spaces were there when the building, now occupied by Fiese, was a business with a driveway in front. There no longer is a driveway to the business and the drive-in door has been removed from the building. There is no need for loading and unloading.
- Eliminating three perpendicular spaces will allow for an additional 6 diagonal spaces on the street.
- The core business district has two types of parking spaces, parallel and diagonal. Removal of the only three perpendicular spaces brings consistency and uniformity to all parking areas.
- It is a public parking area. It is not private parking and is not designated as such.

Discussion was had and a motion made by Whiting, seconded by Kennedy, to pass an approve Resolution 2012-29 designating 9<sup>th</sup> Street between Avenues F and G to be diagonal parking. Roll call vote: Yea – Strauser, Fritch, Kennedy, Whiting. Nay – none.

Planning & Zoning Commission member Tom Shea asked Council to determine if the front twelve feet of the building at 612 9th Street is preserved as commercial space as required by the special use permit that allowed a residential dwelling on the lower floor of the building in a commercial district. He feels it is the burden of the owner to prove the terms of the permit are met.

Council member Fritch commented that the property owner came to Council with a request for something unique and the Council was willing to work with him. The owner should likewise be willing to work with Council.

If we have no way of determining if special use permits are in compliance, it will have a bearing on how we handle such requests in the future. Administrator Clymer will consult with Atty. Bacon on the process for determining compliance with special use permits and the question will be on the August 7 agenda.

Strauser moved, Kennedy seconded, to adjourn the meeting at 8:25 p.m. Roll call vote: Yea – Fritch, Kennedy, Whiting, Strauser. Nay - none. The next regular meeting will be August 7, 2012.

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Joyce Hudson, Mayor

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Connie L. Dalrymple, City Clerk

