

City of Peabody
Minutes of the
City Council Meeting
January 11, 2010

Office of the City Clerk

January 11, 2010

CALL TO ORDER: The regular meeting was called to order by Mayor Larry Larsen at 7:00 p.m. in the council chambers of City Hall located at 300 N. Walnut, Peabody, Kansas. The following council persons were present: Steve Rose, Tom Schmidt, Pam Lamborn, and Janice Woodruff. A quorum was established.

STAFF: Mac D. Manning, City Administrator/Clerk.

VISITORS: Susan Marshall.

I. MINUTES:

The council reviewed the minutes of the 7:00 pm, regular meeting, from December 28, 2009. Woodruff stated that she did not vote on approval of minutes as she was absent that council meeting.

MOTION by Rose to approve the corrected minutes of the regular meeting from December 28, 2009. Motion seconded by Schmidt. Motion carried 4-0.

II. APPROPRIATIONS: The council reviewed check journal No. 2010 01A Payables in the amount of \$ 10,795.05 and check journal No. 2010-01B in the amount of \$ 2,979.73.

MOTION by Rose to approve the check journal No. 2009 12A as presented in the amount of \$10,795.05 and check journal No. 2010-01b in the amount of \$2, 979.73. Motion seconded by Schmidt. Motion carried 3-0.

III. PUBLIC COMMENT:

There was no public comment made.

IV. APPROVAL OF AGENDA:

MOTION by Schmidt to approve the agenda as presented. Motion seconded by Rose. Motion carried 4-0.

V. AGENDA ITEMS:

1. **Appointment of Council Member to fill Vacancy**

Mayor Larsen advised the Council that he was recommending the appointment of David Scott to fill the open seat on the City Council. Mayor Larsen stated that Mr. Scott was the Director of Legacy Park, retirement community here in the city. He also is a member of the Peabody Economic Development Council. Schmidt stated that he had worked with Mr. Scott for the past nine months on the Economic Development Council and believed that he would be an excellent addition to the Council.

MOTION by Schmidt to approve the appointment of David Scott as City Councilmember for the unexpired term ending April 2011. Motion seconded by Woodruff. Motion carried 4-0.

Mayor Larsen welcomed Mr. Scott to the Council. City Administrator/Clerk Manning administered the oath of office to Scott and he was seated on the Council

2. Health Insurance Proposals for 2010.

Administrator Manning reviewed the health insurance options that had been presented to the City by Hilger Insurance Agency, and Preferred Plus of Kansas. Schmidt stated that since we had allowed for a 12 percent increase for health insurance costs in the 2010 budget, he felt that we should go ahead and accept option #1 which was a 11.5 cost increase.

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MOTION by Schmidt to accept option #1 of the insurance proposals which were presented by Hilger Insurance Agency and Preferred Plus of Kansas, effective February 1, 2010. Motion seconded by Woodruff. Motion carried 5-0.

3. Employee Cost of Living Increases and Market Adjustments

Administrator Manning presented the cost of living increase for all full-time and part-time employees. He also presented a market adjustment salary increases for the police department. Schmidt stated that since we would be discussing the individuals, it would be necessary for the council to go into executive session.

MOTION by Schmidt to go into executive session at 7:20 pm for 20 minutes for the purpose of discussing non-elected personnel and also invited Mac Manning, City Administrator to also attend the session. Motion seconded by Woodruff. Motion carried 5-0.

The Governing Body came out of executive session at 7:40 pm. There was no action taken.

4. Allegiance Communications Franchise Agreement

Administrator Manning presented a letter from Allegiance Communications requesting the City to extend the franchise agreement for cable television in the City of Peabody.

MOTION by Schmidt to approve the extension of the franchise agreement with Allegiance Communications for a period of one year or January 2011. Motion seconded Woodruff. Motion carried 5-0.

5. Amendment to Stutzman Refuse Disposal, Inc. Franchise Agreement for Single Stream Recycling Program

Administrator Manning requested that this item be postponed until January 25, Council Meeting, as amendment has not been signed by Stutzman.

6. EMPLOYEE REPORTS:

a. Mac Manning, City Administrator

1. Proposal for Code Inspection of Baker Buildings

Manning advised the Council that he had contacted the State of Kansas Fire Marshall's office about the inspection of the Baker buildings and that they did not do commercial buildings. They provided several private firms that did this type of inspection work. Manning stated that he had contacted Poole Fire Protection, Olathe and they had submitted a proposal for this inspection. After considerable discussion, the Council directed Manning to send a letter to Baker giving him sixty days to install the fire walls and doors between his buildings.

2. Report on Thermostat Setting at Public Works Building

Manning reported on his investigation of the thermostat setting at the public works building. He reported that the temperature was set at 60 degrees.

3. Status of Meeting with Hillsboro on Water Quality Issue.

Manning reported that between holidays and personnel taking vacations he had not been able to setup a meeting. He stated that he was trying to get Pat McCool from the Rural Water Association to also be at this meeting. He hoped to have the meeting before the next council meeting.

4. Newton No Smoking Ordinance.

Manning reported that he had given the Council a copy of the City of Newton no smoking ordinance and wanted some direction on what to do next on this subject. After discussion, it was decided to see what the State Legislature was going to do with this topic.

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7. REPORTS FROM STANDING COMMITTEES

a. **Water – (Rose)**

Report: No committee report.

b. **Streets & Alleys – (Lamborn & Woodruff)**

Report: Woodruff requested a letter be sent to owner of the old public works building about the storage of bricks and other items on the public sidewalk. Also ask him to clean up the tree and debris that he cut down on the east side of his building.

Schmidt requested that a copy of the street improvement program be provided to the Council. He also suggest a street committee meeting in month of January. It was decided to hold the meeting at 6:00 pm on January 25, before the council meeting,

Mayor Larsen requested the Administrator to contact Marion County when they planned on helping install the 5th Street bridge.

c. **Sanitation – (Larsen & Woodruff)**

Report: No committee report

d. **Lights – (Rose & Lamborn)**

Report:. No committee report

Fire – (Rose)

Report: Rose reminded the Council of the upcoming dinner for the volunteer fireman which the district and the city split the cost for the dinner..

f. **Park & Swimming Pool (Schmidt & Lamborn)**

Report: No committee report.

g. **Building - (Larsen & Woodruff)**

Report: No committee report.

h. **Finance & Ordinance – (Schmidt)**

Report: No committee report.

i. **Economic Development – (Schmidt & Larsen)**

Report: Schmidt reported that the Economic Development Council would meet on January 19, 2010 at 6:00 pm to set goals for the upcoming year and make a recommendation for a high speed network provider.

8. **REPORT FROM MAYOR LARSEN:**

No report.

VI: COMMUNICATIONS:

Letter from Donald Baublets, for Mrs. Sacks, 402 N. Spruce Street, Peabody.

The Council discussed Baublets letter and directed the Administrator to write back and inform Baublets that the issue had been resolved in 2007.

VII: ITEMS TO BE ON AGENDA FOR NEXT MEETING: January 25, 2010

1. Purchasing of Automatic Electronic Defibrillators
2. Status of Construction of 5th Street Bridge
3. Repeal of Local Intangibles Tax
4. HUB's Request to Wave Utility Bills.

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VIII. ADJOURNMENT: There was no more business to bring before the council.
Motion to adjourn the meeting by Schmidt at 8:38 p.m. Motion seconded by Woodruff.
Motion carried 5-0.

CERTIFICATE

I hereby certify that the foregoing minutes are a true and correct recording of the proceedings of the governing body of the City of Peabody, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

Mac D. Manning
City Administrator/Clerk