

**City of Peabody  
City Council Meeting  
MINUTES**

**4-29-2013**

**CALL TO ORDER:** April 29, 2013 at 7:00 PM. Council Room, 300 N. Walnut, Peabody  
*The meeting was called to order at 7:00p.m.*

**ROLL CALL:** ROSE: X SCHMIDT: X LAMBORN: X WOODRUFF: X PETERSON X

**GUESTS:** *Bruce Burke, Jim Rippe, Dinah Richmond, Darren Pickens, Beth Peter*

**PLEDGE OF ALLEGIANCE**

**AGENDA:**

*Times are approximate and are for guidance purposes only. Additions and deletions to the printed agenda may occur during the meeting, thus making the posted guidance times different.*

**I. 7:00 – 7:15 MINUTES:**

Reading and Approval of Minutes from Regular City Council Meeting April 8, 2013.

*A motion was made by Rose to accept the minutes as presented. The motion was seconded by Schmidt. The motion carried 5-0.*

<b>II. 7:15 – 7:20 APPROPRIATIONS:</b>	<u>Payroll 2013-04C-4/12/2013</u>	\$ 9,784.40
	<u>Payroll 2013-04D-4/26/2013</u>	\$ 9,818.25
	<u>Fringe Benefits &amp; Taxes (C)</u>	\$ 4,989.01
	<u>Fringe Benefits &amp; Taxes (D)</u>	\$ 14,632.08
	<u>2013-04E 04/29/2013 Payables</u>	\$ 47,427.61

*A motion was made by Schmidt to accept the appropriations as presented. The motion was seconded by Peterson. The motion carried 5-0.*

**III. 7:20 – 7:25 PUBLIC COMMENT:**

*The public is reminded that comments in this portion of the meeting will be held to a maximum of three (3) minutes. Comments requiring longer than this time period should be scheduled as an agenda item. Requests for a hearing, and requests to be on the agenda must be addressed to the city clerk no later than noon (12:00) on the Friday preceding a scheduled council meeting (council meetings are scheduled for the second and last Monday of every month). Any comments relating to a specific employee of the city must be done so under executive session. This session must be scheduled in advance with the city administrator and require formal request to be brought forth before the council for consideration and approval.*

*There was no public comment.*

**IV. 7:25 – 7:30 APPROVAL OF AGENDA:**

*Darren Pickens requested an executive session to discuss non-elected personnel to include himself, Mayor Larsen and the council. Executive session to be added after his monthly report. Motion was made by Peterson to approve the agenda as amended. The motion was seconded by Woodruff. The motion carried 5-0.*

**V. AGENDA ITEMS:**

**7:30 – 7:40 A. Dinah Richmond - Peabody Senior Center**

Request for pressure check on water line

*Dinah Richmond, president of the Peabody Senior Center, expressed concern about the water pressure to the senior center. She stated that the center was not getting enough pressure to their commercial dish washer. She also stated that there is a known "crimp" in one of the water lines in the basement. She requested the council have the service*

*line pressure tested. The council instructed Darren Pickens to pressure test the line this week and share the results with the Senior Center.*

**7:40 – 7:50 B. Ordinance No. 2013-0429**

**Providing for certain street and alley closings within city limits**

*City administrator presented draft ordinance No. 2013-0429 providing for the vacation of several streets and alleys within the city limits. Marler stated that the planning commission had worked extensively on the zoning map to “clean up” those streets and alleys that had already been physically vacated. This ordinance was a “bit of housekeeping” to*

*clean up the existing maps. Woodruff stated that the city attorney had told Mac Manning not to “give up” anymore land. After much discussion, it was stated that the city in fact was not giving up anything it hadn’t already given up, this*

*was just to make it official. Rippe stated that he believed a public hearing needed to be held to alert the adjoining property owners before publication. Motion was made by Schmidt to adopt Ordinance No. 2013-0429. The motion was seconded by Peterson. The motion passed 4-1 with Woodruff voting against.*

**7:50 – 7:55 C Recommendation for IT Services**

*Marler recommended that the council approve switching existing IT services to Heartland Technologies based in Newton, Ks. He stated that he felt the city had been being overcharged on occasions and thought that the needed IT services could be provided for a lesser cost. Schmidt asked if the current IT company would refund the unused portion of the service contract. Marler stated he was unsure if they would or not. Schmidt requested the issue be tabled while Marler checks with the existing IT company to find out the status of a refund.*

**7:55 – 8:30 D. Employee Reports:**

**1. Darren Pickens - Public Works Superintendent**

**Monthly Report**

*Darren Pickens presented his monthly report to the council. Pickens requested the council approve repair for the two John Deere lawn mowers the city owns. The council discussed future planning for new mower purchase. By fixing the existing mowers, this would delay the purchase of new mowers for a few years as Pickens had stated that other than the steering, the mowers were in good working order. Motion was made by Schmidt to have the steering fixed on the existing mowers. The motion was seconded by Peterson. The motion carried 5-0.*

*Darren Pickens also requested the council consider the repair or replacement of the pool shark that is used to clean the swimming pool. A repair would cost up to \$1200.00 with no warranty, while a replacement would cost approximately \$2000.00 with a one year warranty. The council considered the matter with much discussion on deciding between repairing and replacing. The new shark has a life expectancy of 3 years. The consensus was to replace the existing cleaner, and inquire for a more accurate estimate to repair the existing cleaner which could then be used as a back up. Motion was made by Schmidt to purchase a new pool cleaner. Motion was seconded by Peterson. Motion carried 5-0.*

*A motion was made by Schmidt to go into executive session at 8:12 p.m. to discuss non-elected personnel for 10 minutes, to include Darren Pickens, Mayor Larsen and the council. Motion was seconded by Peterson. Motion carried 5-0.*

*The council returned to regular session at 8:26.*

**2. Bruce Burke - Chief of Police**

**Monthly Report**

*Chief Burke presented his monthly report to the council. Schmidt commended Burke for his department’s work on the inoperable vehicle list.*

- a. Request for Executive Session to discuss non-elected personnel  
(15 minutes)**

*Motion was made by Peterson to go into executive session at 8:35 p.m. to discuss non-elected personnel for 15 minutes. The motion was seconded by Woodruff. The motion carried 5-0.*

*The council returned to regular session at 8:42 p.m.*

*Motion was made by Schmidt to hire Duane Davis as the City of Peabody animal control officer. Motion was seconded by Peterson. Motion carried 5-0.*

**3. Shane Marler - City Administrator**  
Monthly Report

*Marler presented his report to the council.*

**8:30 – 8:45 E. Reports From Standing Committees**

- 1. Water – (Rose & Lamborn) *No report***
- 2. Streets & Alleys – (Lamborn & Woodruff) *No report***
- 3. Sanitation – (Larsen & Woodruff) *No report***
- 4. Lights – (Rose & Lamborn) *No report***
- 5. Fire – (Rose & Peterson) *Peterson inquired about the Safe Kids Camp donation from the city. Marler stated it would be in the next payables.***
- 6. Park & Swimming Pool (Schmidt & Lamborn) *No report***  
Beth Peter - Report

*Beth Peter presented her report to the council. Council discussed the opening and closing dates for the pool. It was decided that the pool would open on May 26, 2013 and close on August 9, 2013. In the past, the pool has been open for 2 hours on Saturdays, and very few patrons use it on Saturdays. The pool will be closed on Saturdays in 2013.*

- 7. Building - (Larsen & Woodruff) *The final payment on the public works/police building has been made.***
- 8. Finance & Ordinance – (Schmidt & Peterson) *No report***
- 9. Economic Development – (Schmidt & Larsen) *No report***  
Request for executive session to discuss confidential data relating to financial affairs or trade secrets of corporations  
(15 minutes)

*Motion was made by Schmidt to go into executive session at 9:07 p.m. to discuss confidential data relating to financial affairs or trade secrets of corporations for 15 minutes. Motion was seconded by Peterson. Motion carried 5-0.*

*The council returned to regular session at 9:22 p.m.*

- 10. Personnel – (Larsen & Peterson)**  
Request for Executive Session to discuss non-elected personnel  
(10 minutes)

*All personnel matters including the executive session and report from the mayor were tabled due to the Mayor's absence who had been called out on an ambulance call.*

**8:45 – 9:00 F. Report from Mayor**  
Mayor Larry Larsen

**VI: ITEMS TO BE ON AGENDA FOR NEXT MEETING: May 13, 2013.**

1. Oaths of Office - elected officials
2. Annual appointment of non-elected personnel

**VII. ADJOURNMENT:**

*Motion was made by Woodruff to adjourn the meeting at 9:25 p.m. Motion was seconded by Peterson. Motion carried 5-0.*

**Enclosures and attachments in this packet:**

1. Draft Minutes of City Council Meeting, April 8, 2013
2. Payroll 2013-04C-4/12/2013 \$ 9,784.40
3. Payroll 2013-04D-4/26/2013 \$ 9,818.25
4. Fringe Benefits & Taxes(C) \$ 4,989.01
5. Fringe Benefits & Taxes(D) \$ 14,632.08
6. 2013-04E 04/29/2013 Payables \$ 47,427.61
7. Darren Pickens - Public Works monthly report
8. Bruce Burke - Peabody Police Department monthly report
9. Beth Peter - Swimming Pool report
10. Letter to Ruth Lott - Re: Utility Usage at Indian Guide Terrace
11. Memo - Re: KPERS Changes
12. Letter from Allegiance Communications - Asset Purchase Agreement
13. Letter from Ron Estes - Distribution Notification April Sales/Compensating Tax
14. Letter from Ron Estes - Distribution Notification April Highway
15. Peabody/Burns Rec Commission Minutes - March 27, 2013
16. Workers Compensation Rights & Responsibilities - Law Change
17. EMC Insurance Companies - Dividend distribution