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## CITY COUNCIL MINUTES

**Tuesday, October 21, 2008**

The Beloit City Council met in regular session on October 21, 2008 in the Council Chambers. Mayor Rebecca Koster called the meeting to order at 7:00 p.m. City Council members in attendance were Pat Struble, Bill Foreman, Craig Cousland, Rick Brown, Denis Shumate, Tom Maxwell, and Tom Naasz. Also present were City Administrator Doug Gerber, City Attorney Harry Gantenbein and Assistant to the City Administrator Stacy Thompson. Councilor James Crowley was absent.

Department heads in attendance were Frank Gent, Jerry Blass, Murray McGee, Lloyd Littrell and Mike Haeffele.

Councilor Maxwell gave the invocation and the Pledge of Allegiance was recited.

Mayor Koster mentioned that she spoke to the students in National Honor Society at Beloit High School about leadership and encouraged those of age to vote in the upcoming election.

Councilor Shumate expressed his appreciation for the opportunity to participate in the League of Kansas Municipalities (LKM) Conference. He thought it was nice to visit with other cities that have the same issues as Beloit. Struble seconded Shumate's comments and also brought up concerns regarding the Economy Shop. Staff is working to fix the leaking roof and will make other repairs this winter. Councilors Maxwell and Cousland echoed Shumate's comments about attending LKM. Cousland also reminded everyone of the upcoming election and hopes that everyone will exercise their right to vote.

City Attorney Gantenbein also attended the LKM Conference and thinks they always have good information.

City Administrator Gerber introduced Youth Councilor Kylie Miller. Miller recapped the Youth Council's recent trip to see Bill Self speak on leadership. She also mentioned that they are working on the Haunted House for Halloween night and that Tuesday they will be attending the Regional Planning Banquet. Gerber also pointed out that while at the LKM Conference the Youth Council got to meet U.S. Congressman Todd Tiahrt.

Gerber presented Employee of the Quarter Allen Mong with a plaque. Mong works in the Systems Operations Department and was nominated for his work on getting Federal Emergency Management Agency (FEMA) funds for damage from a storm.

Mayor Koster asked for comments from the public. David Chase gave Rita Noll's interpretation of a section of the Kansas Open Meetings Act. Ron Boden was present to update the council on the progress at 117 W. Main. He also explained that he is getting an engineers opinion on the west wall that is leaning on the building next door. Gantenbein requested that Building Inspector Chris Jones discuss the condition of the wall. Jones explained the situation including that it is not a common wall and that the engineers are expected to look at it prior to the next Council meeting.

The Consent Agenda consisted of the minutes of the October 7, 2008 City Council Meeting and Appropriations 10B. A motion was made by Councilor Shumate and seconded by Councilor Struble to approve the Consent Agenda in its entirety. Roll call vote: Yeas: Foreman, Struble, Brown, Naasz, Shumate, Maxwell, and Cousland. Nays: None.

Staff recommended the purchase of a credit card fuel system for use at the airport. Councilor Shumate questioned whether the City would have to put in an additional phone line to support a credit card reader at the airport. Staff believes the current phone line can be used, but is unsure at this time what it takes to get merchant identification. The addition of a credit card reader could open the airport up to additional traffic. The City did receive a grant of \$10,000 from the Kansas Department of Transportation to offset the cost. A motion was made by Maxwell and seconded by Cousland to approve the bid for a credit card fuel system from Stan's Petroleum Equipment, Inc. in the amount of \$18,92154. Motion carried 7-0.

The Council was asked to renew the gas contract with ONEOK. The City has worked to diversify energy options and is also looking to become part of the Rainbow Group which will allow spot market pricing in an attempt to get lower gas prices. A motion was made by Maxwell and seconded by Shumate to approve the gas purchase



agreement between the City of Beloit and ONEOK at a price of the Inside FERC Gas Market Report Index plus \$0.40 per MMBtu. Motion carried 7-0.

Staff requested a bid waiver for a turbo charger for Engine #3. Councilor Shumate wanted to know if a bid waiver was the same as a sole source. He was informed that a bid waiver meant the requirements for the City's bid process would be waived in order to keep the project moving. The plant is currently at a standstill with overall repair until the turbo charger that is leaking oil can be repaired. A motion was made by Councilor Cousland seconded by Councilor Naasz to grant a bid waiver and approve the quote from Cameron Compression Systems for the repair of a turbocharger on engine #3 in the amount of \$9,140. Motion carried 7-0.

A motion was made by Councilor Struble and seconded by Councilor Maxwell to recess into an executive session for Attorney-Client Privileged Information for a period of fifteen minutes. The session included the Governing Body, the City Administrator, and the City Attorney. Motion carried 7-0. The session began at 7:35 p.m. and ended at 7:50 p.m. No motions or decisions were made.

A motion was made by Councilor Struble and seconded by Councilor Maxwell to recess into an executive session for Preliminary Consideration of Specific Personnel Matter of Non-Elected Personnel for a period of thirty minutes. The session is to include the Governing Body, City Administrator, and the City Attorney for the first ten minutes. The remaining twenty minutes will be with the Governing Body and City Attorney. Motion carried 7-0. The session began at 7:56 p.m. and ended at 8:26 p.m. No motions or decisions were made.

A motion was made by Councilor Foreman and seconded by Councilor Naasz to recess into an executive session for Preliminary Consideration of Specific Personnel Matter of Non-Elected Personnel for a period of thirty minutes. The session is to include the Governing Body and the City Attorney for the first ten minutes. The remaining twenty minutes will be with the Governing Body, City Administrator, and City Attorney. Motion carried 7-0. The session began at 8:28 p.m. and ended at 8:58 p.m. No motions or decisions were made.

A motion was made by Councilor Maxwell and seconded by Councilor Shumate to recess into an executive session for Preliminary Consideration of Specific Personnel Matter of Non-Elected Personnel for a period of twenty minutes. The session is to include the Governing Body,

City Administrator, and the City Attorney. Motion carried 7-0. The session began at 9:05 p.m. and ended at 9:25 p.m. No motions or decisions were made.

A motion was made by Councilor Maxwell and seconded by Councilor Struble to adjourn the meeting. Motion carried 7-0. The meeting ended at 9:26 p.m.

The work session began at 9:31 p.m. Present were Mayor Koster, Councilors Struble, Brown, Cousland, Naasz, Shumate, Maxwell, and Foreman. Also present were City Administrator Gerber, City Attorney Gantenbein and Assistant to the City Administrator Thompson. Councilor Crowley was absent.

Department Heads present were Littrell and McGee.

Correspondence and Staff reports consisted of the Third Quarter Code Enforcement Report, September Community Development Report, the September Police Reports, the September Library Board Minutes, a Thank You from Beloit Elementary, and LKM information. Councilor Shumate wondered if it was possible to include prosecution information in the Police Reports. Staff thought that could be added in the future.

City Attorney Gantenbein had nothing to report.

The Council reviewed a power point regarding the water contract with the Bureau of Reclamation that staff has been working on. Councilor Foreman thought it was a good thing to be able to guarantee water in perpetuity and was in favor of the option to buy 2,000 acre feet of storage over the next 40 years at \$9.20 per acre feet. The other Councilors agreed and the contract will be on the next agenda for consideration.

Shumate questioned what the status was of the Hollerich property that has a wrecked truck on the corner. Hollerich has been sent notice via certified mail. The City is requesting that he move the truck, but does not want to regulate the content of the sign that is on the truck. Additionally, Hollerich is working on another project without permits and will be issued a stop work order until he obtains the required permits.

Administrator Gerber informed the Governing Body that the Planning Commission met regarding an appeal of the sign portion of the code. The Planning Commission directed staff to address the issue at the next meeting, but until then keep enforcement as is unless there is a traffic hazard. A Regional Supper will be held in Beloit this year. The Council was encouraged to attend this event to hear LKM staff



discuss legislative priorities for the upcoming year. The City Christmas Party is scheduled for January 17.

Director of Plants Lloyd Littrell gave a power point presentation to the Council on the lime slaker at the water plant. The department has decided to forgo budgeted projects in order to get the lime slaker that costs over \$80,000. Staff believes this is a piece of the treatment process that will be needed regardless of any future plant upgrades. The lime slaker will be on the agenda for consideration in the future.

Shumate questioned the process of Employee of the Quarter. He was informed that anyone can nominate employees and the Department Heads then vote on those nominated.

The Identity Theft Program and LKM Conference Review were not discussed and will be reviewed at a future agenda.

The work session ended at 10:20 p.m.

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REBECCA J. KOSTER, Mayor

ATTEST:

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KERRY BENSON, Director of Finance/City Clerk