

**YATES CENTER CITY COUNCIL MINUTES
OCTOBER 17, 2011**

The Yates Center City Council met in regular session on October 17, 2011 at City Hall. The Pledge of Allegiance was recited.

Due to lack of quorum, the meeting was called to order at 7:13pm, instead of the normal 7:00 time. Mayor Wilhite called the meeting to order. Roll call as follows: Reser, Randall, Weber, Stuber, and Bishop. Absent: Hudlin, Beecher, and Black. Other city officials present included: Water/Wastewater Superintendent Jim Lomon, City Attorney Constance Peebles, and City Clerk Becky Boice.

AGENDA AMENDED & APPROVED

Bishop amended the agenda by adding:

- An executive session with a potential new business
- Approving the 2012 CMB License – Johnson’s
- Approving the 2012 CMB License – Casey’s

Motion was made by Bishop, seconded by Reser, to approve the agenda as amended. Motion carried unanimously.

MINUTES APPROVED

Motion was made by Bishop, seconded by Reser, to approve the minutes of the October 3, 2011 meeting as printed. Motion carried unanimously.

CITY ATTORNEY

Peebles had nothing to report.

EXECUTIVE SESSIONS

Motion was made by Bishop, seconded by Reser, to recess into executive session for the purpose of discussing confidential data relating to trade secrets, with Peebles, Joel Porter, and Janice VanHoozer present. Motion carried unanimously. City Council entered into executive session at 7:14pm to reconvene at 7:29pm.

Council reconvened at 7:29pm.

Motion was made by Bishop, seconded by Reser, to recess into executive session for the purpose of discussing confidential data relating to trade secrets, with Peebles and Teresa Schaeede present. Motion carried unanimously. City Council entered into executive session at 7:30pm to reconvene at 7:45pm.

Council reconvened at 7:45pm.

**ADMINISTRATIVE
G&W 2012 CMB LICENSE**

Motion was made by Bishop, seconded by Randall, to approve the 2012 cereal malt beverage license for G&W Food. Motion carried unanimously.

PETE'S 2012 CMB LICENSE

Motion was made by Bishop, seconded by Reser, to approve the 2012 cereal malt beverage license for Pete's of Erie. Motion carried unanimously.

JOHNSON'S 2012 CMB LICENSE

Motion was made by Bishop, seconded by Reser, to approve the 2012 cereal malt beverage license for Johnson's General Store. Motion carried unanimously.

CASEY'S 2012 CMB LICENSE

Motion was made by Bishop, seconded by Reser, to approve the 2012 cereal malt beverage license for Casey's General Store. Motion carried unanimously.

SALES TAX ISSUE

The sales tax issue was tabled for two weeks until all Council could be present.

**SAFETY
DISPATCHING AGREEMENT**

The dispatching agreement was tabled for two weeks until all Council could be present.

**PUBLIC WORKS
EXECUTIVE SESSION**

Motion was made by Weber, seconded by Bishop, to recess into executive session, with the city attorney present, for the purpose of discussing matters of non-elected personnel because if this matter were discussed in open session it might invade the privacy of those discussed. Motion carried unanimously. Council entered into executive session at 7:49pm to reconvene at 8:04pm.

Council reconvened at 8:04pm.

BIDS ON WATER PLANT A/C & HEAT

Weber presented three sealed bids for the water plant air condition & heating unit.

Walker Plumbing & Heating - \$6786.40
(Bid was not to specification)

Tholen's Heating & Cooling - \$5571.71

Smith Contracting, LLC - \$5657.00
(Option #1)

It was the consensus of the Council to go with the 10-year parts warranty. Motion was made by Weber, seconded by Randall, to accept the bid of Smith Contracting, LLC (Option #1) in the amount of \$5657.00. The 10-year warranty papers to be included. Motion carried unanimously.

DUST AT LOCKER PLANT

Weber informed Council of a complaint from Woodson County Prime Meat of the dust on the road clogging up the filters on their coolers. Several different proposals were discussed.

PARKS & PUBLIC LANDS

No committee members present.

**MAYOR COMMENTS
KOMA VIOLATION**


Mayor Wilhite publicly announced that the City Council had committed a technical violation of KOMA (Kansas Open Meeting Act) on September 19, 2011. The Council has agreed to take training on the Open Meetings Act on Monday, November 7, 2011 at 6:30pm at City Hall. The meeting is opened to the public.

CLAIMS & VOUCHERS

Motion was made by Reser, seconded by Stuber, to Pay the claims and vouchers in the amount of \$67964.87. Motion carried unanimously.

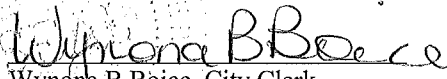
ADJOURNMENT

Motion was made by Randall, seconded by Bishop, to adjourn. Motion carried unanimously and Council adjourned at 8:22pm.



Leslie Wilhite, Mayor

ATTEST:


Wynona B Boice, City Clerk

Approved November 14, 2011



CITY OF YATES CENTER

117 East Rutledge Street
Yates Center, Kansas 66783-1403

Member League of Kansas Municipalities

Leslie Wilhite, Mayor
Wynona B Boice, City Clerk
Constance Peebles, City Attorney

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REQUEST FOR SPECIAL COUNCIL MEETING

The Honorable Mayor Leslie Wilhite
Mayor of Yates Center, Kansas

We, the undersigned, Council Members of the City of Yates Center, hereby respectfully request you to call a special meeting of the Council to be held at City Hall (117 East Rutledge) on November 7, 2011 at 7:00pm for Kansas Open Meeting Act (KOMA) training, an executive session for attorney/client and possible discussion on the dispatching agreement with Woodson County.

Shawn Randall

Barry Reser

Kevin Stuber

Ben Weber

Randy Bishop

Nathan Black

Tony Hudlin

Daryl Beecher

**YATES CENTER CITY COUNCIL MINUTES
SPECIAL MEETING – NOVEMBER 7, 2011**

The Yates Center City Council met in special session on November 7, 2011 at 7:00pm at City Hall for Kansas Open Meeting Act (KOMA) training, an executive session for attorney/client, and possible discussion on the dispatching agreement with Woodson County.

Mayor Wilhite called the meeting to order. Present were: Randall, Bishop, Hudlin, Reser, Weber, Black, and Beecher. Absent: Stuber. Other city officials present included City Attorney Constance Peebles, City Clerk Becky Boice, and Deputy City Clerk Joni Diver.

KOMA TRAINING

Peebles presented a one-hour training overview on the Kansas Open Meeting Act. The training was required by the county attorney after the city council committed a technical violation.

EXECUTIVE SESSION

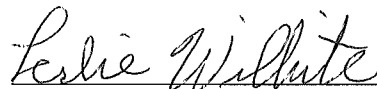
Randall requested an executive session for attorney/client. Motion was made by Randall to recess into an executive session for the purpose of discussing with the city attorney matters of a confidential character and which is private, with no third parties present. Council to reconvene at 8:35pm. Motion was seconded by Bishop, and carried unanimously. Council entered into executive session at 8:05pm.

Weber excused himself from 8:23pm – 8:30pm.

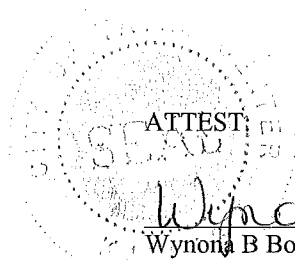
Council reconvened at 8:35pm.

ADJOURNMENT

Motion was made by Reser, seconded by Bishop to adjourn. Motion carried unanimously and adjourned at 8:36pm.



Leslie Wilhite, Mayor


ATTEST

Wynona B Boice
Wynona B Boice, City Clerk

Approved November 14, 2011