## YATES CENTER CITY COUNCIL MINUTES JANUARY 17, 2017

The Yates Center City Council met in regular session on Tuesday, January 17, 2017, at City Hall. The meeting was held on Tuesday due to the Monday holiday. The Pledge of Allegiance was recited.

Mayor Weber called the meeting to order at 7:00pm. Roll call as follows: Reser, Randall, Beecher, Spoon, Bishop, Stuber, and Jones. Absent: Day. Other city officials present included City Attorney Brian Duncan, Chief of Police Lyle Kee, Street Superintendent Randy Hegwald, and City Clerk Becky Boice.

## **AGENDA AMENDED & APPROVED**

Jones added a 20 minute executive session for attorney/client under parks and public lands.

Jones added a 10 minute executive session for acquisition of real property under parks and public lands.

Duncan added approval of the Notice to Proceed from BG Consultants for the Community Development Block Grant for ADA sidewalks/improvements.

Spoon removed the chamber update.

Randall added approval of Ordinance Numbers 1093 and 1094 under public works.

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

**MINUTES APPROVED** 

Motion was made by Reser, seconded by Stuber, to approve the minutes of the January 3, 2017, meeting as printed. Motion carried unanimously.

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## TOM DAVIS

CITY ATTORNEY SALES TAX RATE

COMMITTEE REPORTS
ADMINISTRATIVE

LIBRARY UPDATE

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Tom Davis, with the Birdies and Bluegrass committee was to present to thank the city for their past donations towards the Friends for Life Benefit. He asked if the city would consider donating again this year. Council all agreed it was a wonderful event for a good, local cause. Motion was made by Randall, seconded by Reser, to donate \$5,000.00 to Birdies and Bluegrass, with the funds to come out of economic development. Motion carried unanimously. Davis thanked council before he left.

Duncan explained to council that there was some confusion regarding the date that the new ¼% sales tax would go into effect. A Notice will be published in the Yates Center News and on the city website stating in part:

"This notice pertains to the effective date for collecting the ¼% sales tax increase voted and passed on in the November 2016 election. On December 5, 2016, the City passed Ordinance No. 1092 relating to this sales tax increase. The Ordinance stated that the sales tax was to "commence on January 1, 2017, or as soon thereafter as permitted by law and shall terminate ten (10) years after its commencement." The soonest date permitted by state law is April 1, 2017 pursuant to K.S.A. 12-191(a). This tax, therefore, should not begin to be collected until April 1, 2017, and cease being collected on April 1, 2027. Retailers should not begin collecting any additional sales tax without notice from either the City of Yates Center or the Kansas Department of Revenue."

Notice has also been mailed to local retailers.

A brief library update was given. Jan Sorenson with the library board was present. It was the consensus that more information needed to be obtained before any decision can be made. Members plan to attend the next library board meeting on Wednesday, February 1, at 6:00pm.

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## SAFETY EXECUTIVE SESSION

Motion was made by Bishop, seconded by Stuber, to enter into a 20 minute executive session 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. The session to include the city attorney and Chief of Police Lyle Kee. Motion carried unanimously. Council entered executive session at 7:22pm to reconvene at 7:42pm.

Council reconvened at 7:42pm.

PUBLIC WORKS
WATER/SEWER INCREASE

Duncan presented the two ordinances to raise the water and sewer rates by 4% as previously agreed on.

**ORDINANCE NUMBER 1093** 

Motion was made by Randall, seconded by Beecher, to approve Ordinance Number 1093, AN ORDINANCE AMENDING ORDIANCE NUMBER 1083; USER CHARGE WATER UTILITY. Motion carried unanimously.

**ORDINANCE NUMBER 1094** 

Motion was made by Randall, seconded by Beecher, to approve Ordinance Number 1094, AN ORDINANCE AMENDING ORDINANCE NUMBER 1084; USER CHARGE REGARDING WASTEWATER TREATMENT USE RATE. Motion carried unanimously.

SEWER PLANT MIXER

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Randall informed council that another mixer at the sewer plant had went down. He hoped to have more information on the needed repairs at the next meeting.

PARKS & PUBLIC LANDS
CDBG NOTICE TO PROCEED

Duncan presented the council with the Notice to Proceed with the CDBG improvements from BG Consultants.

Motion was made by Jones, seconded by Randall, to authorize Mayor Weber to sign the Notice to Proceed. Motion carried with Spoon abstaining.

**EXECUTIVE SESSION** 

Motion was made by Jones, seconded by Stuber, to enter into a 20 minute executive session for attorney/ client privilege for the purpose of discussing with the city attorney matters of a confidential character and which is private, with no third parties present. Motion carried unanimously. Council entered into executive session at 7:48pm to reconvene at 8:08pm.

Page 3 City Council Minutes January 17, 2017 Council reconvened at 8:08pm.

**EXECUTIVE SESSION** 

Motion was made by Jones, seconded by Bishop, to enter into a 10 minute executive session with the city attorney for the purpose of preliminary discussions related to the acquisition of real estate. Motion carried unanimously and council entered into executive session at 8:09pm to reconvene at 8:19pm.

Council reconvened at 8:19pm.

**MAYOR COMMENTS** 

Weber had no comments to make.

**CLAIMS & VOUCHERS** 

Motion was made by Reser, seconded by Beecher, to pay the claims and vouchers in the amount of \$66,380.19. Motion carried unanimously.

**ADJOURNMENT** 

Motion was made by Bishop, seconded by Reser, to adjourn. Motion carried unanimously and council

adjourned at 8:25pm,

Beniar , Mayor

Approved February 6, 2017