

## REGULAR COUNCIL MEETING

MAY 5, 2005

7:30 P.M.

PRESENT: Mike Batchelder, Tony French, Donna Parish, Ken Stewart and Mari Ann Parker.

ALSO PRESENT: Carol Hopkins, Diane and Angela Stewart, Katie Hargis, Ted Collins, Charles Baskins, Melody Butrick, Jeff Butrick, Aaron Powell, Ila Spaulding, Jason Pendleton, Brandi Strong, Deb Fox, Dick Powell, Chad Clary, Jerry Dubach, Renee Mulligan, Gary Connellis and friend, Jeremy Austin and friend, Jeff Riley, Rocky Ruhnke, Zach Powell and Bill Butrick.

PRESIDING: Mayor Janet Tyler.

The meeting was called to order at 7:30 p.m. with all council members present.

City Clerk Bill Butrick administered the Oath of Office for elected Council members Tony French, Donna Parish and Ken Stewart.

Donna Parish moved to approve the minutes of the last Regular Council Meeting held April 6, 2005. Mike Batchelder 2<sup>nd</sup>, motion carried unanimously.

Tony French moved to approve the minutes of the Special Council Meeting held April 20, 2005. Donna Parish 2<sup>nd</sup>, motion carried unanimously.

Donna Parish moved to approve the bills for the month of April, 2005. Ken Stewart 2<sup>nd</sup>, motion carried unanimously.

### PRESENTATIONS

Deb Fox updated the Council on the time frame for the water line extension project. City Attorney Ted Collins discussed the contract with the Council concerning some changes to the original draft. Mari Ann Parker moved to accept the waterline agreement between the City, College, Contractor and Engineer as presented. Tony French 2<sup>nd</sup>, motion carried unanimously.

Council member Donna Parish stated she appreciated the College's interest in making the project successful.

### COMMITTEE REPORTS

Mayor Tyler, Council member's Parker, Batchelder and Stewart reported on the meeting held with BG Consultants concerning their engineering services. The Mayor stated that BG Consultants seemed very knowledgeable about projects the city is interested in.

## NEW BUSINESS

Mike Batchelder moved to appoint The Kansas Chief as the official city newspaper for 2005. Mari Ann Parker 2<sup>nd</sup>, motion carried unanimously.

Donna Parish moved to appoint the Farmers State Bank of Highland as the official city depository for 2005. Mari Ann Parker 2<sup>nd</sup>, motion carried unanimously.

Tony French moved to appoint Mike Batchelder as Council President for 2005. Ken Stewart 2<sup>nd</sup>, motion carried 4-0-1 with Batchelder abstaining.

Mayor Tyler asked that all committees be the same as 2004 with Ken Stewart taking Jerry Bruns place for 2005.

Tony French moved to approve the Committees' for 2005 as presented by Mayor Tyler. Mike Batchelder 2<sup>nd</sup>, motion carried unanimously.

The Council discussed the possibility of including a Personnel Committee and agreed to discuss it at the next regular council meeting in June.

Tony French moved to table the appointment of the Board of Zoning Appeals until the next regular council meeting. Donna Parish 2<sup>nd</sup>, motion carried unanimously.

Mari Ann Parker moved to appoint all employees to their current positions for 2005. Ken Stewart 2<sup>nd</sup>, motion carried unanimously.

The Council discussed the letter from the Kansas Department of Transportation concerning the overlay from S. Kansas to E. Main to E. Spring Streets from a previous agreement with the detour. The Council agreed that no action be taken until further information is reviewed.

Donna Parish moved to give the school permission to install new playground equipment. Ken Stewart 2<sup>nd</sup>, motion carried unanimously.

Tony French moved to schedule a work session with Doug Glenn of Mayer Hoffman McCAnn to help with city budgeting. Mari Ann Parker 2<sup>nd</sup>, motion carried unanimously.

Tony French moved to accept the resignation of Police Officer Gary Vain with regret. Donna Parish 2<sup>nd</sup>, motion carried unanimously.

## CITY OFFICERS REPORT

City Superintendent Jeff Riley was congratulated on receiving his Class I water license.

Mari Ann Parker thanked City Maintenance for their help with PRIDE Clean-up day.

Jeff Riley updated the Council on running the primary line to well #5. He stated that hopefully next week the project would begin.

Superintendent Riley presented bids on 72" finish mowers. Ken Stewart moved to authorize Jeff Riley to purchase a finish mower for \$1295 unless a better deal is available. Mari Ann Parker 2<sup>nd</sup>, motion carried unanimously.

Tony French moved to authorize Jeff Riley to hire part time summer help for maintenance department. Donna Parish 2<sup>nd</sup>, motion carried unanimously.

Mari Ann Parker moved to accept the funding available for training and expenses for a back-up water operator and to have Shawn Tilton receive this training. Mike Batchelder 2<sup>nd</sup>, motion carried unanimously.

Police Chief Gary Connellis spoke of the ident-a-kid program that had been held at Midway schools.

Rocky Ruhnke voiced his concerns about the need for patrolling on the college campus since school was about out.

9:00 p.m. Mari Ann Parker moved to go into executive session for 20 minutes to consult with attorney and to have County Attorney Charles Baskins, Doniphan County Sheriff Jerry Dubach, City Attorney Ted Collins and Police Chief Gary Connellis present. Ken Stewart 2<sup>nd</sup>, motion carried unanimously.

9:20 p.m. Ken Stewart moved to come out of executive session. Mike Batchelder 2<sup>nd</sup>, motion carried unanimously.

9:20 p.m. Ken Stewart moved to go back into executive session for fifteen minutes for further consultation with attorney with same people present. Tony French 2<sup>nd</sup>, motion carried unanimously.

9:35 p.m. Ken Stewart moved to come out of executive session. Donna Parish 2<sup>nd</sup>, motion carried unanimously.

9:36 p.m. Mike Batchelder moved to go into executive session for fifteen minutes to discuss personnel and to have City Attorney Ted Collins and City Clerk Bill Butrick present. Ken Stewart 2<sup>nd</sup>, motion carried unanimously.

9:51 p.m. Ken Stewart moved to come out of executive session. Mike Batchelder 2<sup>nd</sup>, motion carried unanimously.

9:55 p.m. Tony French moved to go back into executive session for thirty minutes to further discuss personnel with same people present. Donna Parish 2<sup>nd</sup>, motion carried unanimously.

10:25 p.m. Mike Batchelder moved to go back into executive session for thirty minutes to further discuss personnel with same people present and to include Police Chief Gary Connellis. Donna Parish 2<sup>nd</sup>, motion carried unanimously.

10:56 p.m. Tony French moved to come out of executive session. Ken Stewart 2<sup>nd</sup>, motion carried unanimously.

11:05 p.m. Ken Stewart moved to go into executive session for thirty minutes for continuance of the employee grievance session with City Attorney Ted Collins, Police Chief Gary Connellis, Police Officer Jason Pendleton and HCC Housing Director Jeremy Austin present. Tony French 2<sup>nd</sup>, motion carried unanimously. Jeff Butrick and Chad Clary were present for a portion of the session on behalf of Officer Jason Pendleton.

11:35 p.m. Ken Stewart moved to come out of executive session. Mari Ann Parker 2<sup>nd</sup>, motion carried unanimously.

11:36 p.m. Tony French moved to go back into executive session for 10 minutes to discuss personnel with City Attorney Ted Collins and Police Chief Gary Connellis present. Ken Stewart 2<sup>nd</sup>, motion carried unanimously.

11:46 p.m. Ken Stewart moved to come out of executive session. Donna Parish 2<sup>nd</sup>, motion carried unanimously.

11:47 p.m. Tony French moved to go back into executive session for thirty minutes to discuss personnel with City Attorney Ted Collins present. Ken Stewart 2<sup>nd</sup>, motion carried unanimously.

12:17 a.m. Tony French moved to come out of executive session. Ken Stewart 2<sup>nd</sup>, motion carried unanimously.

12:17 a.m. Tony French moved to go back into executive session for ten minutes to further discuss personnel with same people present. Ken Stewart 2<sup>nd</sup>, motion carried unanimously.

12:27 a.m. Tony French moved to come out of executive session. Mari Ann Parker 2<sup>nd</sup>, motion carried unanimously.

Donna Parish moved to deny the employee grievance appeal. Ken Stewart 2<sup>nd</sup>, motion carried unanimously.

Ken Stewart moved to terminate Police Officer Jason Pendleton and to pay him up thru May 4, 2005. Mari Ann Parker 2<sup>nd</sup>, motion carried unanimously.

12:29 p.m. Mari Ann Parker moved to adjourn. Donna Parish 2<sup>nd</sup>, motion carried unanimously.

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Mayor

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City Clerk