

City of Pomona
Regular City Council Meeting Minutes
Monday September 12, 2016
7:00 p.m., City Hall

Council in Attendance: Mayor Seneca, Councilmembers; Adler, Bradbury, Johnson, Meador, and Smith.

Staff in Attendance: Linda Grob, Steven Lemons, Scott Snethen, and Dean Wineinger.

Meeting to order

The meeting was called to order at 7pm and began with the Pledge of Allegiance.

Amend Agenda

A motion was made by Councilmember Bradbury to amend the agenda with the following changes;
Move Consider 2015 Audit to first item of business.

Add, as next items: Consider Fund Transfer and Consider Pay Off of Water Pollution Control Bond

The motion was seconded by Councilmember Meador and the vote carried 5-0.

Consent Agenda

- Review Utility Accounts 30+ Days Delinquent
- Review Employee Vacation, Discretionary, and Comp Time Accruals
- Minutes of Previous Meetings
 - August 1, 2016
 - August 17, 2016
 - August 30, 2016
- Financial Reports/Action on bills
- Current bills and prepaid bills

A motion was made by Councilmember Adler to accept the consent agenda with the omission of a Purchase Order filled out to Blue Valley Public Safety for payment of the Annual Maintenance Agreement, which is to be considered later at this meeting. The Purchase Order addressed to Blue Valley Public Safety was removed from the consent agenda. The motion was seconded by Councilmember Meador and the vote carried 5-0.

Registered Citizens Comments

Gene Hirt
Clara Griffin

Registered Citizens Comments were held and heard.

Items of Business:

Consider 2015 Audit

Mr. Sean Gordon from Mize & Houser, Co. was in attendance to discuss the 2015 Fiscal Year Audit beginning with the bound copies of the audit and then moving to the cover letter laying out the deficiencies and recommendations to the City. Mr. Gordon opened the floor up to the Council, should they have any questions. No questions were asked and Councilmember Smith made a motion to approve the 2015 Audit. The motion was seconded by Councilmember Adler and the vote carried 5-0.

Consider Fund Transfer

Councilmember Smith opened this item with discussion, stating that he felt the City should transfer \$200,000 from the Electric Fund (Fund 1) to the Sewer Capital Improvement Fund (Fund 21) to proactively begin preparing for anticipated sewer related expenses due to new EPA regulations and the future dredging of the lagoons.

The motion to transfer \$200,000 from the Electric Fund (Fund 1) to the Sewer Capital Improvement Fund (Fund 21) was made by Councilmember Bradbury and seconded by Councilmember Meador. The vote carried 5-0.

Consider Pay Off of Water Pollution Control Bond

There was discussion on the revenue and expenses that come from Fund 7, the Sewer Reserve Fund. Based on the mock pay off of the Water Pollution Control Bond, final payment would total \$84,001.09. The balance of Fund 7 currently is \$116,443.95. The Council instructed City Staff to look into the State Statutes regarding transfers for the remaining balance of this fund. In addition, City Staff was instructed to look into the legality of removing or keeping the Sewer Reserve Charge (\$13.75) after this bond is paid off.

A motion was made by Councilmember Smith to authorize City Staff to move forward with the paying off of the remaining balance of the Water Pollution Control Bond to avoid paying further interest. The motion was seconded by Councilmember Johnson and the vote carried 5-0. The City is to give KDHE a 60 days' notice of final payment, the anticipated pay date will be November 14, 2016.

Consider Planning Board's Recommendation to Change Zoning Classification of 424 W Franklin
Sara Clary, a concerned resident, was present to discuss her opposition of the proposed reclassification however was instructed that the proper forum would have been to address the Council during Registered Citizen Comments.

The Council asked the City Clerk about the Protest Petition Process. The City Clerk explained that after the Public Hearing, held on August 17th, the owners of property within 200 feet had 14 days to file a protest petition. In order to successfully petition, requirement of protest is 20% or more of the land area owners within 200 feet of the property, not 20% of the total number of owners in the area. Having only received 1 property's petition, under the required 20% of land area, the protest was not successful.

A motion was made by Councilmember Bradbury to accept the recommendation of the Planning Board, their recommendation was to reclassify the zoning classification of 424 W. Franklin from Residential to Commercial. The motion was seconded by Councilmember Meador and the vote carried 5-0.

Consider Reimbursement of Utility Account 0234's Sewer Charges

A motion was made by Councilmember Smith to reimburse the Utility Account 0234 for the sewer charges. The motion was seconded by Councilmember Adler and the vote carried 5-0.

Consider Change Order for Street Project

Councilmember Meador explained that during the initial part of the street project, Mobile Road was believed to be a private street through information they had received. However that information was not correct and it is in fact a City Street. This Change Order is adding Mobile Road to the street project for a cost of \$4,939.29. A motion was made by Councilmember Meador to accept the Change Order to include Mobile Road in the street project. The motion was seconded by Councilmember Smith. The vote carried 5-0.

Consider Renewal of Blue Valley Public Safety Maintenance Agreement

There was discussion on whether or not the City should reenter into this agreement or not. City Superintendent Dean Wineinger discussed that he looked into this agreement in the past and that there is no legal requirement keeping the City in this agreement. He stated that instead of paying the amount annually for the agreement, the City could save that amount yearly in case we would need maintenance done. He and the City Clerk confirmed that in years past, per this agreement, Blue Valley Public Safety has only tested the City's system once per year. Councilmembers Bradbury and Smith explained that they felt they would rather pay for the agreement rather than face the consequence of being without.

After further discussion, Councilmember Bradbury reluctantly moved to pay the fee and enter into the agreement. The motion was seconded by Councilmember Johnson and the vote carried 5-0.

Consider Quote for JUS Email Billing

Councilmember Bradbury discussed meeting with the City Clerk to discuss this item. JUS would need to test the City's system to see if software is compatible. We do not have an estimate on how many citizens would be interested. Councilmember Bradbury and Rick discussed how this would not save money but rather provide a convenience. The Council indicated that they were more willing to acquire new software to allow online check paying (or pay online without credit card fee) or to pay with an electronic check.

Councilmember Bradbury made a motion to take a step forward, without incurring any cost, to see if our system would support this email billing software and to look into a solution for electronic check paying with no fee. The motion was seconded by Councilmember Meador and the vote carried 5-0.

Consider League of Municipalities Voting Delegates

Councilmember Bradbury moved to add Office Staff as voting delegates. The motion was seconded by Councilmember Johnson and the vote carried 5-0.

Consider Extra Payment on Principal for Water Distribution Bond

Councilmember Adler moved to make the extra payment on the principal for a payment total, including interest, of \$48,000. The motion was seconded by Councilmember Meador and the vote carried 5-0. The Council instructed the City Clerk to look into refinancing that bond to a lower rate.

Consider Library Board ADA Compliance

Mayor Seneca informed the Council that the Library Board has \$1,000 returned to them from William Bane and \$2,000 from the Goppert Foundation for a total of \$3,000. The Library Board would be willing to use that entire amount to complete interior ADA compliance requirements. The Library Board would pay for the interior changes and then would like to sheetrock and insulate the entire East Wall to save on utilities. The Library Board wanted the City's permission on this since the City owns the building. Mayor Seneca informed the Council that private donations would assist with this project if expenses were to go over the \$3,000.

With the Library Board completing the interior changes, they are requesting the City complete the exterior ADA compliance requirements. City Field Staff could pour the ADA ramp if the Council were to approve. Previous estimates indicated around \$600 for this project. Any extra concrete would be poured in the back of the building. The Library Board already has secured architectural designs for the ADA compliant ramp, they just need someone to do the work. Councilmember Smith and City Superintendent Dean Wineinger discussed how much concrete would go out front. City Superintendent Dean Wineinger would look into seeing if there is a water meter there or not to determine the amount that could be covered.

Councilmember Bradbury made a motion to accept the Library Board's offer of covering the materials and labor of the inside ADA compliance requirements and changes and that the City would be responsible for the outside ADA compliance requirements with a deadline of completion of January 1, 2017. There was discussion on the deadline. January 1, 2017 is the absolute latest this needs to be completed but could be done sooner. Councilmember Bradbury amended his motion to a deadline of November 1, 2016. The motion now reads; to accept the Library Board's offer of covering the materials and labor of the inside ADA compliance requirements and changes and that the City would be responsible for the outside ADA compliance requirements with a deadline of completion of November 1, 2016.

The amended motion was seconded by Councilmember Meador and the vote carried 5-0.

Consider Library Board Appointments

Mayor Seneca referred to a letter the Council had received from Alexia Welch Miller in regards to a vacant Library Board position. Mayor Seneca stated that she believed Alexia Welch Miller would be a good fit. Councilmember Bradbury asked about the position she would be appointed to. Mayor Seneca explained that this position has been vacant since the passing of Adelia Brown and has been vacant for some time. Alexia's term, if appointed, will run until the expiration of Adelia Brown's existing term. Mayor Seneca also stated that Stacia Spencer, whose term expired in April 2016, would like to be reappointed for another 4 years. There is one other term that expired in April 2016 and will remain vacant. Vacant board positions will be posted on website.

A motion was made by Councilmember Bradbury to appoint Alexia Welch Miller to serve the rest of Adelia Brown's existing term. The motion was seconded by Councilmember Meador and the vote carried 5-0.

Councilmember Bradbury then made a motion to appoint Stacia Spencer to a new 4 year term on the Library Board. The motion was seconded by Councilmember Johnson and the vote carried 5-0.

Consider Employee Evaluations

A motion to enter into Executive Session for 20 minutes for the purpose of discussion of non-elected personnel to protect privacy rights, including City Clerk Steven Lemons in the Executive Session, was made by Councilmember Bradbury. The motion was seconded by Councilmember Meador and the vote carried 5-0.

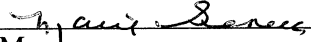
Council and City Clerk entered into Executive Session at 7:51pm. City Clerk left Executive Session at 8:01pm. The Council exited Executive Session at 8:11pm.

A motion was made by Councilmember Bradbury to extend the Executive Session, for purpose of discussion of non-elected personnel, by 10 minutes. The motion was seconded by Councilmember Meador and the vote carried 5-0.

Council entered into executive session at 8:12. The Council left Executive Session at 8:22pm.

A motion to adjourn was made by Councilmember Bradbury and the motion was seconded by Councilmember Meador. The vote carried 5-0 and the meeting was adjourned at 8:23PM.

SL



Mayor