**Council Meeting** 07/15/2024

Minutes taken by Emily Bessette, City Clerk

**Meeting:** Time: 7:00 PM

Presiding Officer: Mayor Anthony DaPrato

Council Present: Kaitlyn Ball, Kevin Seals, Lister, Moore, Moeller

Council Absent: N/A

Attorney Barnes: Present

Employees: Shannon Seals, Emily Bessette, Dustin Bretsnyder

Visitors: Per Registry

**Call to Order**

The meeting was called to order at 7:00pm by Mayor Anthony DaPrato.

**Meeting Minutes**

Discussion on 6/13/2024 meeting minutes. Motion by Ball to approve meeting minutes from June 13, 2024 Employee Handbook Meeting. 2nd by K. Seals, motion caried.

Discussion on 7/1/2024 meeting minutes. Discussion on the use of the generator, the time Barnes left the meeting, and fireworks. Motion by K. Seals to approve meeting minutes from July 1, 2024 with the eleven corrections including attorney, Dustin Bretsnyder, $30,000 downpayment from the equipment fund and removal of annual generator test. 2nd by Ball, motion carried.

**East Lake / Stowbridge Reservoir**

Discussion on East Lake being a no wake lake. Tyler and Cheyenne Beckman spoke on the behalf of fisherman of the lake and wanting to have a safe wake in the lake. Multiple discussions occurred on safety. Consensus on drawing up a new ordinance that allowed wake in the lake with a designated area for paddle boaters that would be no wake.

**Makya McClenson**

Mr. McClenson submitted a letter to council asking to park his semi-trailer in the drive at the fairgrounds. Discussion on concerns with the weight on the drive and other approved places in town. No actions taken.

**Swimming Pool**

AJ Bessette submitted a letter to the city with concerns of the pool closing early this year. She had concerns with pool passes being sold and not being notified the pool would be reducing days open, being kids safe place to go while school is not in session, the pool being one of the few safe places the kids had to go and the overall benefits of the pool were being overlooked. She stated, “The Public Pool was worth our community to invest in to rebuild, but now it sounds like the Recreation department is trying to reduce the open days by more than 15%.”

The reason for closing early is no staff. Mayor spoke with recreation department and it is a staffing issue. Brad Smith was hateful while speaking with City Clerk on the phone with why the pool was closing. He did explain to Mayor DaPrato that the manager had to return to her fulltime job. Discussion on how other towns are helping each other cover shifts and adjusting times to keep their pools open. Vanessa Roberts is a lifeguard at the pool who was present. Roberts stated she is helping Overbrook because they reached out to Carbondale for help, she also helps with swim lessons there. Roberts talked about the pay of lifeguards. Manager was supposed to talk with the city council about pay. Lister commented that council doesn’t even know who they hire. Roberts stated, “Brooke stated she would be at the meeting tonight and when she heard she was not she came to speak for the lifeguards.” While Ron was with the City the lifeguards pay for training out of pocket and at the beginning of the two years training fees are reimbursed. This year she believes the rec commission paid the for the first years but is unsure. Barnes has seen that for other cities as well. whoever was hired for pool manager is vacating before the city is ready for them to vacate it. Other alternatives for manager may need to be looked at. Moore stated this was the first-year council has not approved the Pool Manager, every other year rec has brought the potential pool manager in front of council. Barnes asked who appoints the Rec Commission. Moore answered that city council appoints and that rec refused to allow council to participate. It’s State Law if you have a rec commission in your city the members of that rec commission are appointed or recommended by the Mayor and accepted by the council. Terms are staggered. It is difficult finding people. Statute needs to be revisited to see if there are people on the committee who should not be. Zoning, Rec and Library make recommendations of who they want on the board and then council appoints. Ordinance should spell out how the commission is run. Ron ran the rec by himself and now there are all of these people. They did have other nonactive members.

Barnes read code as follows:

a. The recreation commission shall consist of five members to be appointed as follows: The governing body of the city shall appoint five persons, four of whom must be residents of the taxing district, and the fifth to be a resident of Osage County, to serve as members of the recreation commission. The first and fifth appointees to serve four years, the second for three years, the third for two years, and the fourth to serve one year. These five appointees shall constitute the recreation commission. Thereafter the members of the commission shall be selected in the same manner as the member such person is succeeding and the term of office of each shall be four years. Any member of the recreation commission may be removed from the commission, by the appointing authority, for any cause which would justify removal of an appointive office of the city.

b. Except for members first appointed to the commission, all commissioners not filling a vacancy shall hold office for a term of four years and until their successors are appointed and qualified. Whenever a vacancy occurs in the membership of the commission, a successor shall be selected to fill such vacancy in the same manner as and for the unexpired terms of the member such person is succeeding.

Section 3. ELECTION OF OFFICERS. The members of the recreation commission shall annually elect one of its members to serve as the chairperson and secretary from their membership. The treasurer of the City of Carbondale shall serve as ex officio treasurer of the recreation commission and keep an accurate record of all money and property received and disbursed and shall make a report thereof monthly to the commission, or as often as the commission requires. Members of the commission and the ex officio treasurer of the commissioner shall serve without compensation. The commissioners are hereby empowered to administer in all respects the business and affairs of the recreation system.

Section 4. ANNUAL BUDGET; HEARINGS; NOTICE; TAX LEVY; INCREASE IN LEVY; SUBJECT TO PROTEST; ANNUAL AUDIT; WHEN REQUIRED.

a. The recreation commission shall prepare an annual budget for the operation of the recreation system. Prior to the certification of its budget to the city, the recreation commission shall meet for the purpose of answering and hearing objections of taxpayers relating to the proposed budget and for the purpose of considering amendments to such proposed budget. The recreation commission shall give at least 10 days notice of the time and place of the meeting by publication in a weekly or daily newspaper having a general circulation in the taxing district. Such notice shall include the proposed budget and shall set out all essential items in the budget except such groupings as designated by the director of accounts and reports on a special publication form prescribed by the director of accounts and reports and furnished with the regular budget form. The public hearing required to be held herein shall be held not less than 10 days prior to the date on which the recreation commission is required to certify its budget to the city. After such hearing the budget shall be adopted or amended and adopted by the recreation commission.

b. In order to provide funds to carry out the provisions of this act and to pay a portion of the principal and interest on bonds issued pursuant to K. S. A. 12-1774, and amendments thereto, the recreation commission shall annually, not later than August 1 of any year, certify its budget to such city which shall levy a tax sufficient to raise the amount required by such budget on all the taxable tangible property within the taxing district. Each year a copy of the budget shall be filed with the city and county clerks. The city shall not be required to levy a tax in excess of the maximum tax levy set by the city by current resolution, now 4 mills, the maximum levy allowed pursuant to K. S. A. 12-1927(a).

c. At any time after the making of the first tax levy, such tax levy may be reduced by a majority of the voters of the taxing district voting at an election called pursuant to a petition requesting an election signed by at least 5% of the qualified voters of the taxing district is filed with the county election officer within 30 days following the date of the last publication of the budget. If the petition submitted is for the purpose of reducing the mill levy, it shall state the mill levy reduction desired. Upon revocation, all property and money belonging to the recreation commission shall become the property of the taxing authority levying the tax for the commission and the recreation commission shall be dissolved. In the event the authority of a recreation commission is revoked pursuant to this subsection, the taxing authority may continue to levy a tax in the manner prescribed by the petition language for the purpose of paying any outstanding obligations of the recreation commission which exist on the date such authority is revoked. The authority to levy a tax for this purpose shall continue only as long as such outstanding obligations exist. If the recreation district whose authority is revoked owns any real property at the time of such revocation, title to such real property shall revert to the taxing authority.

d. All financial records of the recreation commission shall be audited as provided in K. S. A. 75-1122, and amendments thereto, and a copy of such annual audit report shall be filed with the governing body of the city. A copy of such audit also shall be filed with the county clerk of the county in which the recreation system is located. The costs of the audit shall be borne by the recreation commission.

Section 3. POWERS AND DUTIES OF THE RECREATION COMMISSION. The recreation commission shall have the following powers and duties:

a. Make and adopt rules and regulations for the operation of the recreation system;

b. conduct the activities of the recreation system on any property under its custody and management, or, with proper consent, on any other public property and upon private property with the consent of the owners;

c. receive any gift or donation from any source;

d. receive, accept and administer any money appropriated or granted to it by the state or federal government or any agency thereof;

e. purchase insurance pursuant to K. S. A. 75-6111 and K. S. A. 12-1774 and amendments thereto;

f. sue or be sued;

g. enter contracts;

h. enter lease agreements for real and personal property. The term of any such lease shall not exceed 10 years. Any such lease agreement shall be subject to the approval of the city to which the recreation commission certifies its budget;

i. employ employees which may be necessary for proper operation of the recreation system;

j. establish a petty cash fund which shall not exceed $1,000 at any one time;

k. acquire title to personal property by purchase, bequest, gift, or other donation and acquire title to real property by devise, gift or other donation. Whenever property owned by a recreation commission is sold, the proceeds shall be used for recreation purposes;

l. make improvements for recreation system purposes, and;

m. perform any other acts necessary to carry out the provision of this act.

Barnes stated the city needs to get a copy of their audit of records Article 8 rec com and discuss these issues. They currently have too many members according to code.

Conversation on zoning commission.

Barnes suggested setting special meetings with members of committees.

**Lions Club**

There was a heated discussion between Lions Club member Kelli Moore and Council K. Seals. Kelli is frustrated with the lack of help and pace.

Lions Club has approximately $10,000 dollars devoted to the park funds. All together there is around $97,000 to $102,000 dollars for park additions.

A joint public meeting will need to happen to move the process along.

There is an outlet that carries used equipment. There is also a matching grant that can be written.

Barnes suggested a steering committee to make a proposal. There might be some preliminary engineering needed for the grants. Committees will need to come up with a budget and let the engineer know this is what we have to spend.

**Police Department**

Police department passed out snappers for the 4th of July.

They are hosting a free day at the pool where they have saved up $90 in Casey’s Rewards points to purchase Pizza for everyone. 98.5 Radio Station will be there as well. They will offer free snow cones, wheel of prizes, soda, juice and water. Event is scheduled for July 24th from 1:00 to 3:00.

Cram The Cruzer is coming up. On August 9th they will collect and organize supplies and on the 10th families will be able to shop.

Officer Mariah Shultz is in Academy and doing well. She has a 92% average on testing and written.

Cruisers are “rolling along”, no issues.

**Executive Session**

Motion by K. Seals to go into executive session at 8:18pm for nonelected personnel returning at 9:03. 2nd by Ball, motion carried.

9:03pm returned to open meeting with no decisions made.

**Maintenance**

The Dock has been set at East Lake/Stowbridge Reservoir. It does need improvements. The concrete pad is higher than it needs to be. They have dug out some rocks from under the dock because it does not extend out far enough. There were questions on if an extension could be added or if the company could do a refund/trade on a longer ramp. Bretsnyder is still working on a solution.

Suspension air bags for the Chevy Truck were $685.

They have sprayed for obnoxious weeds again at the water plant.

The New Holland tractor was being loaded for repair of the clutch and slipped off trailer and got a hole in the sidewall of tire, new tire was purchased.

There was confusion on who sends the street repairs out for bid. City office will get them sent out for bid. Some alley work has been completed.

The swimming pool and plant are doing good.

**Trash Ordinance**

Motion by Lister to set Ordinance 540, 2nd by Seals

Cheryl Lister how do you vote? Yes

Kaitlyn Ball how do you vote? Yes

Kevin Seals how do you vote? Yes

Chad Moore how do you vote? Yes

Ronald Moeller how do you vote? Yes

Ordinance 540 Adopted.

**Pay Rates**

Discussion on Treasurer’s Pay. Michael Martin was hired at a lower rate than stated in the most recent handbook version. Starting rates were adjusted by COLA and some feel they should not be affected by COLA. Treasurer position will be combined in the Assistant City Clerk position. Motion by Lister to increase Michaels pay to his six month increase to $17.88 affective current pay period, beginning of pay period. 2nd by Moore, Motion carried. Martin will be bumped to Level 2, 6 months making his next raise COLA.

Current 2024 Payscale

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Level 2 Employees** | |  |  |  |  |
|  | **Maintenance 2, Court Clerk & Asst City Clerk eff 01/01/23** | | | | |
|  | Time | 6 mo. | 2 yr. | 5 yr. | 8 yr. |
|  | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 |
|  | $17.38 | $17.88 | $19.88 | $21.88 | $23.88 |
|  |  |  |  |  |  |
| **~~Level 3 Employees~~** | |  |  |  |  |
|  | **~~City Treas eff 02/06/2023~~** | | | | |
|  | ~~Time~~ | ~~6 mo.~~ | ~~2 yr.~~ | ~~5 yr.~~ | ~~8 yr.~~ |
|  | ~~Step 1~~ | ~~Step 2~~ | ~~Step 3~~ | ~~Step 4~~ | ~~Step 5~~ |
|  | ~~$16.82~~ | ~~$17.32~~ | ~~$19.32~~ | ~~$21.32~~ | ~~$23.32~~ |

Jonathan Clark’s pay rate will need to be evaluated as well since he was hired in 2024 as Maintenance 2.

**Extension Request**

Motion by Lister to approve all extension request, 2nd by K. Seals, motion carried.

**Bills, Notes, FYI**

Question on Kansas Gas Bill. Looked like it was overpaid and account would have a credit.

Motion by Lister to knowledge the bills have been presented to the council for review, 2nd by K. Seals, motion carried.

**Adjourn**

Motion to adjourn at 9:42pm by Lister, 2nd by Seals, motion carried.