

REGULAR CITY COUNCIL MEETING

The Edna City Council met in regular session Thursday, May 1, 2014 in council chambers at 6:30 p.m.

CALL TO ORDER: Mayor Joe D. Hermes, Councilmembers Richard Browning, William Selders, Maxine Price, Jean Sorensen and Johnny Vasquez. City Manager Ken Knight, City Secretary Becky Miska, Finance Director Olga Salomon, Chief of Police Clinton Wooldridge, Director of Public Works Brad Ryan and EMS Director Loyd Chase.

APPROVE MINUTES OF THE CITY COUNCIL MEETING HELD APRIL 17, 2014:

Councilmember Sorensen made the motion to approve minutes of the city council held April 17, 2014. Councilmember Price seconded the motion. All voted AYE. Motion carried.

VISITORS: Gene Kruppa–BEFCO Engineers, Velma Vasquez, Tommy Srp, David Webel, Donna Terry, Mrs. Guice and Chris Lundstrom-Jackson County Herald Tribune

HEARING OF VISITORS:

“At this time, comments will be heard from the audience on any subject matter that is not on the agenda. In accordance, with the Open Meeting Act, City Council may not discuss or take action on any item which has not been posted on the agenda.”

ADMINISTER OATH OF OFFICE TO RICHARD BROWNING AS DISTRICT 1 REPRESENTATIVE FOR THE UNEXPIRED TERM:

City Secretary Becky Miska administered Oath of Office to Richard Browning as District 1 representative for the unexpired term.

DISCUSS AND APPROVE THE AUDIT FOR THE FISCAL YEAR 2012-2013 FROM THE FIRM OF HARRISON, WALDROP & UHEREK, L.L.P., CERTIFIED PUBLIC ACCOUNTANTS:

Councilmember Browning had questions regarding the EMS/Fire Department, ambulances fees and receivables. City Manager Knight noted they do not break it down as we do. Public Safety is broken down as fire and police; public health is EMS. Browning continued with questions on water accounts as to how much has been carried over on the books. City Manager Knight stated these questions should be directed towards the auditor. Councilmember Price made the motion to approve the audit for the fiscal year 2012-2013 from the firm of Harrison, Waldrop & Uherek, L.L.P., Certified Public Accountants. Councilmember Browning seconded the motion. All voted AYE. Motion carried.

HEAR REPORT FROM BEFCO ENGINEERS REGARDING THE QUIET ZONE:

Gene Kruppa with BEFCO Engineers updated the council on the status of the city’s efforts to establish a Quiet Zone, prohibiting trains from sounding their horn as they travel through the city. Gene reported that on January 16, 2014 council approved Intent of Intent and that letter went out on February 19, 2014 to FRA (Federal Railroad Administration), TxDot, Kansas City Southern and City Manager Ken Knight. What you have to do is wait 60 days for commitments. No comments received as of yet, meant they were fine with it. He said the next step would be sending them an application for alternate supplemental safety measures to be installed on the crossings, since both sides could not be amended on some to satisfy the requirements. Kruppa said it could take up to seven months to hear back from the FRA on the ASM, but expected no concerns. Councilmember Selders made the motion to approve moving forward with the process. Councilmember Vasquez seconded the motion. All voted AYE. Motion carried.

DISCUSS AND CONSIDER DESIGN FOR THE FLAG CITY PLAZA:

City Manager Ken Knight reported he had spoken to Phillip Huseman-KSA Engineers and he did not have a new rendering to present at this meeting.

DISCUSS AND TAKE APPROPRIATE ACTION ON COUNCILMEMBER SELDERS CONCERNS OVER THE DRAINAGE STUDY:

City Manager Knight addressed the council noting SOQ's (Statement of Qualifications) were released to consultants in November 2012, deadline for questions and inquiries for January 2013 and submission deadline was January 31, 2013. Knight noted as per the copy of the minutes presented from the March 21, 2013 meeting KSA presented and explained the scope of the project to council. "Those areas include Chase Street and surrounding areas, Buttercup and Meadow Lane and surrounding areas. When the study is complete the city will have a drainage area map with proposed improvements to the existing drainage systems, along with the cost of the proposed improvements."

DISCUSS AND TAKE APPROPRIATE ACTION ON CITY MANAGER'S CONDUCT CONCERNING THE DRAINAGE STUDY. (City Manager requests the discussion to take place in open session:

Councilmember Selders said Knight originally asked for the study for east of East Street to the railroad tracks south through his district. He said the study was proposed at an earlier council meeting. When the study was brought to council for approval, the entire city was included. Selders said he believed Knight changed the minutes to reflect the new study area. "He took the money and diverted it to another area. The study wasn't done for the area that was supposed to be studied." Selders went on to say "I want us to put a restriction on anyone in his position, such as no raise on the first occurrence and to be let go on the second occurrence." Mayor Joe Hermes said that council could not act on things that might happen. City Manager Knight stated "I do not know what Mr. Selders is accusing me of. I never presented a limited study for East Street to the council. The KSA Engineers study was not limited to the areas he is referring to. I'm sorry he believes I have incorrectly conducted myself in my position and I am resentful. I did not arbitrarily change the terms of the contract." Selders replied "Keep doing what you're doing. It's a low down dirty shame." City Manager Knight said he did not appreciate Selders accusing him of lying. "That's two of us," Selders retorted. A copy of the minutes that included the council's action approving the contract with KSA Engineers to perform the drainage study was included for council review. It reflected what Mr. Knight said the council had approved. None of the councilmembers were aware of any changes in the minutes or in the proposed study area. Mayor Hermes asked for a motion. No action was taken and died due to lack of motion.

DISCUSS AND TAKE APPROPRIATE ACTION ON KSA ENGINEERS DRAINAGE WORK ORDER:

Councilmember Browning questioned the need for the drainage study. Browning asked "Is this repetitious for the same studies that have been done before?" He said three other drainage studies had been performed in the past 30 years and nothing has been done with them. "They were done, paid for and never executed. Why do we need another? Have we had an earthquake that changed the elevations? We have the same drainage problems now we had then. It is a waste of money to have another study. We just need to do the work." Mayor Hermes noted he had asked about other studies before approving the most recent contract with KSA Engineers. "I don't know why they were hired either." Browning said the other studies are in City Hall in Brad's office or the City Manager's office. Browning noted the area by Harris Street, includes the East ditch at Mexico Street and the ditch is under the jurisdiction of the Jackson County Wide Drainage District. Browning went on to say the city cannot use its money to fix county problems. Mayor Hermes also

expressed his frustration with working with the Jackson County County-Wide Drainage District, saying the city asks for help, but none was forthcoming, even though city residents also pay taxes to the drainage district. “After the city flooding in 1994 we got some help, but that was it,” Hermes said. Councilmember Browning committed “the drainage district could give a tinker’s d*** less about the City of Edna.” City Manager Knight presented a work order for drainage work to begin on Martin Luther King down Gilbert and Alba. Included is the area around Harris Street, Vanderbilt St. and Gilbert Road. Most will receive properly sized culverts and appropriate slope for improved drainage. The work order was in the amount of \$7,620.00. Councilmember Price made the motion to approve the work from KSA Engineers for drainage work in the amount of \$7,620.00. Councilmember Vasquez.

CONSIDER PAYMENT OF CURRENT BILLS:

Councilmember Browning made the motion to approve payment of current bills in the amount of \$224,902.37. Councilmember Selders seconded the motion. All voted AYE. Motion carried.

CITY STAFF REPORTS:

“At this time, the City Council will hear reports / updates on all committees or department assignments, which may include, but is not limited to the following: Police Department-grant updates, police report; Fire Department-grant updates, fire reports; Public Works Department-park reports, water & sewer line updates, street repairs/projects; City Manager & City Secretary-public information; Finance Director-financial report; Code Enforcement-progress reports on code issues. No formal action can be taken on these items.”

City Manager Ken Knight reported he had been visited by Rick Cowan with the Coalition Against Bigger Truck. Council asked that a letter be sent thanking Mr. Cowan for the information and type up a resolution of support. Knight noted the Flag City Kookers to several awards last weekend at the Fiddlers Frolics. Congratulations to Brad Ryan and team. **City Secretary Becky Miska** stated Early Voting is still underway and noted Monday, May 5 and Tuesday, May 6 will be the extended hours 7:00 a.m. – 7:00 p.m. Election Day will be Saturday, May 10th for District 4.

ADJOURN:

Councilmember Browning made the motion to adjourn the meeting. Councilmember Selders seconded the motion. All voted AYE. Motion carried.

APPROVED:_____

Joe D. Hermes, Mayor

ATTEST:_____

Becky Miska, City Secretary

