

Regular Council Meeting  
September 23, 2019

1. **Council President Roger Jensen called the meeting to order at 7:30.** Present were Council members Kale Dankenbring, Amanda Milne, Dara Carmichael and Larry Finley. Also present were City Superintendent JR Landenberger, City Attorney Mike Day, and City Clerk Lila Whitmore. Mayor Scott Schultz and Interim Police Chief Cody Beeson were absent.
2. **Minutes** from the September 9 Council meeting were distributed and read. It was moved by Amanda and seconded by Kale to approve the minutes as written. Motion passed.
3. **Minutes** from the September 5 Special meeting were distributed and read. It was moved by Amanda and seconded by Dara to approve the minutes as written. Motion passed.
4. **Minutes** from the September 16 Special meeting were distributed and read. It was moved by Larry and seconded by Kale to approve the minutes as written. Motion passed.
5. **Visitors** – none
6. **Police Report:** none
7. **New Business:**
  - a. **Byron Moberly Trash Concerns** - Mr. Moberly did not attend the meeting.
  - b. **Dan Blair, Fire Chief** – Dan presented a quote to the Council from Reach Solutions for the purchase of a new computer for the fire department. The total cost is \$1,496 with the County paying half and the City paying half, which would be \$748. A motion was made by Amanda and seconded by Larry to approve the purchase. Motion passed. Funds are available in the fire department budget for this.
  - c. A motion was made by Dara and seconded by Kale to approve a **trash waiver** for Dave Yost for the new airplane hangar at the airport which is used solely for storing of aircraft. Motion passed.
  - d. A motion was made by Amanda and Seconded by Kale to approve **Ordinance No. 618: AN ORDINANCE AMENDING SECTIONS 213 AND 304 OF ARTICLE 3 OF THE 2015 CODE OF THE CITY OF ST. FRANCIS, KANSAS AND, PURSUANT TO KSA 41-2911(b)(1), EXPANDING THE DAYS OF SALE AT RETAIL OF CEREAL MALT BEVERAGE AND ALCOHOLIC LIQUOR IN THE ORIGINAL PACKAGE.** Larry – Yes, Dara – Yes, Amanda – Yes, Kale – Yes. Motion passed. The Ordinance will be published for two consecutive weeks and is subject to a 60 day protest period.
8. **Old Business:**
  - a. **Street Project** – There were no updates on the street project. There was discussion regarding the ongoing negotiations with KDOT concerning the crossovers and service road. Roger, Scott and Amanda met with Jeff Stewart and others from KDOT to talk about a proposal for a cost share program to repair the 9 crossovers. The estimated cost is \$100,000 with the City sharing in 25% of the cost. Applications for the cost share program will be accepted on an ongoing basis and will be reviewed in October and March with the first deadline being October 11. Attorney Day has sent a packet of information to several people including the General Counsel for KDOT but has not yet received a response. The packet included a copy of the deed which Amanda had found along with photographs, the legal description, and an aerial overview showing the property as defined in the legal description, which includes the access road. KDOT is still taking the position that it is the City’s responsibility per a state statute. Attorney Day has not yet found the statute that is being referenced. There is a separate program that addresses the connecting links that Amanda feels the Council should look into as well. The Council discussed the topic at length. A motion was made by Amanda and seconded by Larry to hold off on applying for the cost share program until after the October 8 election and until we hear back from the KDOT General Counsel. Motion passed. If additional information is received prior to the next Council meeting a special meeting may be called.
  - b. **Electrical Infrastructure** – JR is expecting to receive a new bid schedule soon.
  - c. **Property Cleanup** – Attorney Day is in the process of identifying and locating the heirs of Jerry Toler to begin the condemnation proceedings. Sondra Bracelin has conducted a lien search on the Ted McCoy property on East Jackson. This property is subject to the next tax foreclosure sale.
  - d. **Projects Pending** – no updates
9. **Keller Pond Committee** – Larry reported that the grounds are looking good. Tom Keller has mentioned having a fence put back up on the Riverwalk side. Dave Flemming has talked about putting millings on the circle drive at

the Riverwalk to address the pothole issue. Maintenance will continue to be a priority. It was moved by Dara and seconded by Kale to accept and file the Keller Pond Committee report. Motion passed.

- 10. Pool Report** – Larry reported on the revenue and expenses for the pool season. The concessions brought in additional revenue and the admissions revenue was up quite a bit over last year as well. Expenses were slightly less than last year. All in all the season turned out well. The board will be looking into adjusting prices next year and fine tuning expense control, as well as ways to increase attendance. Lila reported that beginning next year we will be able to split out the revenue to show more accurately what is received for lessons, private parties, and general attendance. It was moved by Amanda and seconded by Dara to accept and file the Pool report. Motion passed
- 11. Building Permits** – none
- 12. Superintendent Report** – **a)** The City crew continues work on the water isolation. JR shared a map showing the isolatable areas. JR explained the importance of being able to isolate the water lines in relation to the ongoing street improvements. **b)** Dan Blair and John Larson have been working on the installation of a new transformer at the power plant. **c)** A motion was made by Kale and seconded by Amanda to approve having the black lines, the blue gutters and the T's repainted on the pool at a cost of \$4,000. Motion passed. **d)** JR will be contacting Johnson Service for a price to perform root maintenance on the sewer lines. **e)** Tyler Hillmer with Miller & Associates took a look at Valley street with JR. Making any changes to the street would result in changing the channel of water flow. The engineer's assessment and recommendation was to keep the grade as it is, remove the sand and repair the areas that are washed out using good materials. The only alternative would be to pave and curb and gutter the street which would be very costly. Attorney Day pointed out that the adjacent property owners could petition for the street to be improved and pay for the cost which could be assessed to their property taxes. **f)** Superintendent Landenberger has spent considerable time comparing the power proposals from KMEA and Sunflower/Prairieland. He shared with the Council the pros and cons of each proposal, and explained in detail the differences between them. One of the significant advantages of Sunflower/Prairieland is the availability of local resources for support and emergency work which KMEA does not offer at this time. Monetarily Sunflower's proposal is better as well. Based on his analysis, JR's recommendation was to go with Sunflower/Prairieland. After discussion, a motion was made by Kale and seconded by Larry to accept the Sunflower/Prairieland proposal pending review and approval of a submitted contract by JR and Attorney Day. Motion passed. It was moved by Amanda and seconded by Dara to accept and file the Superintendent report. Motion passed.
- 13. Attorney Report** – none
- 14. Clerk Report** – **a)** On behalf of Hayley Brown, Clerk Whitmore presented a variance request for the property at 116 E. Second for the operation of a daycare. This property has been operating as a daycare for several years and Ms. Brown has recently purchased it from the previous owner. She was initially unaware that she would need a variance granted in order to continue to run the daycare. The Council determined that the property owners affected by the business would be Gary & Sherolyn Pittman, the Baptist Church, Kathy Biggs, Jerry & Natalie Stahlecker, Bill Ehrman, Bruce & Shirley Swihart, and Glenn Vogelsang. Clerk Whitmore will prepare the variance documents and will contact Ms. Brown. The Council gave provisional authority for Ms. Brown to continue to operate the daycare contingent upon her submitting the necessary signatures at the next Council meeting. **b)** A motion was made by Kale and seconded by Amanda to waive the peddler's license fee for the Jobs Daughters to sell Christmas wreaths and swags. Motion passed. **c)** A motion was made by Kale and seconded by Larry to waive the peddler's license fee for the SFCHS Junior Class to sell magazines. Motion passed. **d)** Lila pointed out that the second Monday in October is Columbus Day, a federal holiday. Because of this and per city code the next Council meeting will be held on Tuesday, October 15. **e)** The Council gave permission for Lila to attend the regional clerk's meeting in Hays on October 4. **f)** Clerk Whitmore requested 10 minutes of executive session for non-elected personnel to discuss employee supervision. It was moved by Amanda and seconded by Kale to accept and file the Clerk report. Motion passed.
- 15. Council Comments:** **Kale** – none **Amanda** – none **Dara** – none **Larry** – Several citizens have asked about the repairs that are needed on the flag pole at the Park. JR is aware of it and is trying to determine the best way to fix the problem. Amanda commented that the parks are very dark at night, JR will check for burned out lights.
- 16. Council President Comments** – Roger asked Council members if they would consider changing the start time of the Council meetings to 7pm. The Council agreed. Mike will prepare an ordinance. *Mike and JR left the meeting.*

17. At 9:05 a motion was made by Larry and seconded by Amanda for the Council, along with Clerk Whitmore, to recess into executive session for the non-elected personnel exception to discuss employee supervision, the open meeting to resume at 9:15. Motion passed. The open meeting resumed. No action was taken. Roger and Lila will meet with the employee to discuss expectations.
18. **Adjournment:** It was moved by Larry and seconded by Dara to adjourn the meeting. Motion passed.

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City Clerk