

Regular Council Meeting
November 9, 2020

1. **Council President Amanda Milne called the meeting to order at 7:00.** Present were Council members David Butler, Kale Dankenbring, and Dara Carmichael. Also present were City Superintendent Jr Landenberger, City Clerk Lila Whitmore, and City Attorney Lauren Reyelts. Mayor Scott Schultz, Council member Larry Finley, and Sherriff Beeson were absent.
2. **Minutes** from the October 26 Council meeting were distributed and read. It was moved by David and seconded by Kale to approve the minutes as written. Motion passed.
3. **Consent Agenda** – It was moved by Kale and seconded by Dara to approve the following items on the Consent Agenda: Permission for Clerk to pay insurance at time of billing; Permission for Clerk to pay utilities at time of billing; Permission for Clerk to pay utility incentives before the 25th of the month; Permission for Clerk to pay theater bills when due; Permission for Clerk to pay Payment Service Network bills when due. Motion passed.
4. **New Business:**
 - a. **Barb Holzwarth** - Ms. Holzwarth addressed the Council with concerns regarding the recycling center. She commended City employee Bill Sporing for the job he does but she feels that the work is overwhelming. She has observed people from out of town utilizing the recycling center and leaving trash and other non-recyclable items such as Styrofoam. People clearly do not follow the signs. She proposed possibly closing the recycling center at night. The Council discussed the issue, but no decisions were made. She also had a concern about the trash service behind the high school and the debris that is left behind after the trash truck has been there. JR explained that the solution would be to relocate the trash bins. *Sheriff Beeson arrived at the meeting.*
5. **Sheriff Report:** Sheriff Beeson shared the statistics for October. There have been several arrests made indicating cases are being resolved. The department has been hit pretty hard with COVID with 2 deputies currently on quarantine. The sheriff department would be happy to assist with the recycling center issue as they are able if asked. There are currently no cases for municipal court. They are still working on getting evidence and records moved out of the police department. A motion was made by Kale and seconded by Dara to accept and file the Sheriff's report. Motion passed.
6. **Visitors** – Tom Roberts was present to discuss with the Council the City's policy for entities using the City Council chambers for meetings. Each year the Mayor appoints Council members, and other City representatives, to various boards and committees that are City related. The current unwritten policy is that only organizations, committees or boards with a Mayor appointed member can utilize the Council chambers for meetings that are directly City related and the appointed member must be present to ensure that the building is locked and secured following the meeting. The exception to this is if the meeting is held during normal business hours. The appointed person would not need to be present as the City Clerk's office would be able to ensure this is done. The Council discussed the policy and opted not to make any changes. Mr. Roberts has concerns regarding the Library meeting facility and will need to address those with the Library Board.
7. **New Business continued:**
 - a. Pam Bolin, representing the Cheyenne County Food Pantry, asked if the City offers reduced utility rates for non-profit organizations like the food pantry. There is currently no policy in place to offer this.
 - b. Helen Dobbs, Cheyenne County Development Corporation director, shared the updated city brochure with the Council. A motion was made by Kale and seconded by David to make an out of cycle payment for the brochures, not to exceed \$2,000. Motion passed. Helen also let the Council know that the CCDC will be changing their name to Cheyenne Community Development Corporation in order to apply for a 501(c)(3) designation. Helen shared information from the Kansas Department of Commerce regarding business incentives for non-retail businesses. The Ultimate Guide to Northwest Kansas will be here this week. Helen has put together welcome packets for new residents. She asked for input from the Council on how to distribute them. The

Council agreed it would be something the City Clerk's office could hand out to new residents when they obtain utility services.

8. Old Business:

- a. Property Cleanup** – One property owner appeared in court and was provided with a list of things that need to be completed. There is a bench trial scheduled for Municipal Court on December 15 which will be continued if reasonable progress is being made on the property. The other property owner was served notice on November 7 and they have 15 days to bring the property into compliance or 10 days to request a hearing in front of the Council. The Council also discussed traffic obstructions and safety concerns at the intersection of Jackson and Quincy. JR will touch base with Sheriff Beeson about this.
 - b. Projects Pending** – “Bandshell Grants” will be added to the projects pending list. Amanda reported that the County Commissioners gave their ok for the Veteran's Memorial in Sawhill Park. However, Bob Ogden has indicated that they actually prefer the Roadside Park location. Flags have been placed to show the proposed location of both the Veteran's Memorial and the dog park.
 - c. Streets Project** – The Engineering design plan should be available for the next meeting.
- 9. Theater Report** – JR has received a proposal from an architect with pricing to provide an architectural master plan. A plan will be needed to move forward with any grant funding requests. He will discuss the proposal with the Theater Board President.
- 10. Building Permits** – A motion was made by David and seconded by Dara to approve the following building permits: Keith Lilley – 115 W. Whittier, pole barn; Bruce Swihart – 118 E. Second, sidewalk and fence; James Laffond – 318 E. Whittier, garage; Larry Zwegardt – 509 W. Webster, fence; Kelly Grabenstein – 401 S. Quincy, repair porch and fence. Motion passed. *JR left the meeting.*
- 11. Attorney Report** – **a)** Lauren requested 15 minutes of executive session to discuss pending litigation. **b)** Lauren presented Ordinance 625: AN ORDINANCE AMENDING THE BUILDING CODE OF THE CITY OF ST. FRANCIS, KANSAS UNDER CHAPTER 4 BY AMENDING ARTICLE 2 TO INCLUDE SECTION 202A. This is the ordinance regarding address numbers. It was moved by Kale and seconded by Dara to approve the Ordinance 625. David – yes, Kale – yes, Dara – yes, motion passed. **c)** The Council discussed Ordinance 626 regarding transient vendor fees. They confirmed that the fees apply to all merchants as defined in Chapter 5 Article 1. They also confirmed that background checks would now be required for all applicants, not just non-residents. She will work on finalizing the ordinance. A motion was made by Kale and seconded by David to accept and file the Attorney report. Motion passed. *JR returned to the meeting.*
- 12. Clerk Report** – **a)** The Council further discussed the use of the Council chambers for meetings and agreed to keep the policy as it is. Lila will put the policy in writing. The subcommittee that Mr. Roberts is a part of does not meet the criteria for use. The Council suggested offering the use of the Scout Hut. A motion was made by Kale and seconded by David to waive the rental fees for the Scout Hut for the Community Foundation subcommittee meeting on November 10 if the facility is not already in use. Motion passed with Dara abstaining. Lila will check the use calendar and will let them know if it is available. **b)** A motion was made by Kale and seconded by Dara to purchase a ½ page ad at a cost of \$1,050 in the new US36 Travel Guide to be published next spring. Motion passed. This will be paid for from the Guest Tax Fund. Lila will contact the publishers regarding the design of the ad. **c)** Lila let the Council know that after speaking with Angela Ketterl with ABBB it was determined that the 2020 budget does not need to be amended. Since sales tax is not a levied tax, the fund created for it does not need to be a budgeted fund. **d)** Lila reminded the Council that Veteran's Day is a City Holiday and City Hall will be closed. **e)** Lila provided an update on the movie crew who used the Police Department for some of their filming. There were issues regarding the expectations of the film crew and use of the building. She recommended that if something similar is authorized in the future that it be made clear the building can be used only during normal business hours and that a damage deposit be required. **f)** After discussion, a motion was made by Dara and seconded by David to approve Christmas bonuses of for all full-time employees and for the one part time City Hall employee. Motion passed. The amount will be \$250 for the full-time employees, and for the part time employee it will be \$25 more than what was given last year. Lila pointed out that several employees have significant work anniversaries this year: Mike Meyers, 25 years; Jen Blair, 15 years; Justin Gardner, 5 years; and Lila Whitmore, 5 years. John Larson also had his 40-year anniversary in April and the Council had previously recognized John with a gift certificate and a plaque. A motion was made by David and seconded

by Kale to award \$25 service awards to the other employees celebrating the anniversaries. Motion passed. Because of COVID-19 there will not be a Christmas party this year. **g)** The Council discussed the Families First Coronavirus Response Act and the utilization of the paid emergency sick leave for employees who are quarantined by order of the health department or a medical provider. Most city employees are considered essential and are therefore excluded from the requirements of the act. However, the Council agreed that providing the emergency sick leave would be the right thing to do. The Council also agreed that if an employee is sent home by a department head for a COVID-19 related concern they too would be eligible for the emergency sick leave. However, once the 2 weeks of emergency leave is used, they would then need to use their own accumulated leave. The hours for the emergency sick leave are also available to part time employees based on an average of hours worked. A motion was made by David and seconded by Kale to accept and file the Clerk report. Motion passed.

- 13. Superintendent Report – a)** Ward Electric has completed the work within the amount that had been approved for this year. A motion was made by Kale and seconded by David to approve \$200,000 from the capital improvements fund for additional work by Ward Electric in 2021. Motion passed. **b)** JR received a price for the boiler at the power plant but feels that it is out of line with what is needed, and he will be looking for other options. **c)** JR will be obtaining pricing from a local tree contractor for tree cleanup at the Roadside park. **d)** He is still waiting for an estimate from McAtee Construction for the sandblasting of the seating area at the Bandshell. It was moved by Dara and seconded by Kale to accept and file the Superintendent report. Motion passed.
- 14. Council Comments: David** – will not be at the December 28 meeting, **Kale** – will not be at the November 23 meeting, **Dara** – The 3 local banks will be meeting to decide on Santa during the Christmas opening
- 15. Council President Comments** – none
- 16. All bills on Ordinance #1044 were reviewed.** It was moved by Dara and seconded by Kale to approve the bills in the amount of \$403,140.32. Motion passed.
- 17.** At 9:05 a motion was made by Kale and seconded by Dara for the Council along with all those present to recess into **executive session** for the attorney-client privilege exception to discuss pending litigation, the open meeting to resume at 9:20. The open meeting resumed and no action was taken.
- 18. Adjournment:** It was moved by David and seconded by Dara to adjourn the meeting. Motion passed.

City Clerk