

Regular Council Meeting
May 24, 2021

1. **Mayor Scott Schultz called the meeting to order at 7:00.** Present were Council members David Butler, Amanda Milne, Dara Carmichael, and Larry Finley. Also present were City Superintendent JR Landenberger, City Clerk Lila Whitmore, and City Attorney Lauren Reyelts. Council member Kale Dankenbring was absent.
2. **Minutes** from the May 10 Council meeting were distributed and read. There was one spelling correction. It was moved by Larry and seconded by Dara to approve the minutes as amended. Motion passed.
3. **Visitors** – Elmer Kellner was present as an observer. Christine Anderson was present to follow up on the status of the Riverwalk access for her husband that had been discussed at the May 10 meeting. Larry indicated that the Keller Pond Committee would be discussing this topic at their next meeting. She has contacted Eric Harper to request the records of complaints regarding the Riverwalk that have been reported to the Sheriff's office.
4. **New Business:**
 - a. **Audit Report** – Danielle Hollingshead, with AdamsBrown, joined the meeting via phone to present the 2020 Audit Report. She reviewed the financial statements and the auditor recommendations for process improvements. There was one statute violation. Per state statute any contract for the purpose of public improvements that exceeds \$100,000 requires a performance bond. The contract with Ward Electric exceeded \$100,000 but did not have the performance bond. A motion was made by Amanda and seconded by David to approve the audit report. Motion passed.
 - b. **Karen Knauer** – The Lions Club is reviving Bingo night. There are numerous metal folding chairs in the attic of the Scout Hut and Ms. Knauer asked if the Lions Club could use them. The Council discussed allowing them to borrow the chairs with the understanding that they would remain City property and returned if the City needs them for any reason. A motion was made by Dara and seconded by Larry to allow the Lions Club to use the chairs for Bingo. Motion passed. JR will make sure the chairs are labeled as City property before they are removed from the Scout Hut.
 - c. The Council reviewed the **EMS Building Agreement**. Attorney Reyelts pointed out that it is not necessary to sign and renew the agreement every year as there is a section in the agreement that allows for automatic renewal. Mayor Schultz stated that he felt it was still a good idea to review it so that all Council members are familiar with it. A motion was made by Amanda and seconded by Dara to approve the EMS Building Agreement. Motion passed. Lila will provide a copy to the County Clerk for the County Commissioners.
 - d. Lila shared the application for a **Special Event Alcoholic Beverage Permit** for Riverside Recreation for the Alumni Celebration on June 19. She also shared the **Special Event Permit Application** from the Alumni Association. The required liability and liquor liability insurance is in place and the special event fee has been paid. A motion was made by Larry and seconded by Amanda to approve the special event permit along with **Resolution 2021-2: A RESOLUTION OF THE CITY OF ST. FRANCIS, KANSAS APPROVING A TEMPORARY PERMIT ALLOWING FOR THE CONSUMPTION OF ALCOHOLIC LIQUOR ON CITY STREETS**. Motion passed.
5. **Old Business:**
 - a. **Property Cleanup** – The Council discussed the McCoy property on Jackson Street as well as another property on Second Street. Lauren has the pictures of the Lampe property and Sheriff Beeson will serve notice on it. Lauren expressed concerns regarding a property on West Emerson.
 - b. **Projects Pending** – a) Scott has been in touch with Greg Kite regarding the Bandshell. Mr. Kite has offered to assist with writing grants for improvements. The major update needed at this time is the seating area. Mr. Kite will be here for the alumni celebration and Scott will coordinate a time to meet with him. b) Lauren has not yet heard from Jeter Law Firm regarding the access road, but she hopes to have an update by the next meeting. c) Larry has spoken with Dave Flemming regarding the possible use of the old pool property for sand volleyball. There was discussion about how that might be accomplished. Larry will continue working with Dave on the idea and will keep the Council updated.

- c. **Streets Project** – Concrete work will begin in June. JR reminded the Council that the City had agreed to pay for the cost of the tree removal including any costs incurred because of their removal such as damage to a driveway. The Council discussed the impact that the street improvements will have on residents with various street closings while the work is being completed. JR indicated that traffic control is part of the contractor's obligation to do it in a manner that does not lock anyone down. The Council would like to see something in the paper to let residents know more about what streets will be impacted and a timeframe. Lauren has reviewed and approved the contract and addendums. A motion was made by Larry and seconded by Amanda to approve and sign the contract with McCormick Excavation. Motion passed.
6. **Pool Report** – Kelley Milliken, Pool Manager, was present to talk about the pool. She reported that the pool will be opening on Saturday, May 29. Swim Team has started practicing every morning. She reviewed the hours that the pool will be open. The Council discussed what to do about the East side that is currently dirt. JR indicated it needs to have equipment access with a ramp and gate. Sand burs and stickers are a problem on the south and west sides also and need to be sprayed. Two or three table umbrellas need to be replaced. There are 3 swim meets scheduled, June 5, July 10, and another on a date not yet decided. *Kale arrived at the meeting.* Kelley Milliken, pool manager, spoke about being contacted by the Cheylin Recreation Commission asking if they could rent our pool to offer swimming lessons if the Bird City pool was unable to open. The Council determined that would probably not be an option. However, it would be possible to hire another person as a City employee to be able to offer additional lessons. Bird City is also having a hard time finding lifeguards and asked Kelley about hiring some of our lifeguards so that they could open their pool. She indicated they would be willing to share in the certification costs for the guards. Kelley pointed out she has not heard anything further from Bird City so they may no longer have a need for either of these. At this point, no decisions were made by the Council. The City's hiring practices were also discussed. Currently lifeguards are considered employees as of the day they begin certification training. The City pays for the cost of certification, which is \$180 each, but also pays for the hours spent in training as well as travel expenses to/from Colby. Lila indicated that many other communities require their lifeguards to pay for their own certifications and they are reimbursed at the end of the season. They are not officially hired until certification is completed. Kelley talked about becoming instructor certified herself to be able to offer the lifeguard training here. Larry indicated the pool board would review the hiring process and possibly certifying Kelley before next year's season. It was moved by David and seconded by Amanda to accept and file the pool report. Motion passed.
7. **Building Permits** – It was moved by Kale and seconded by Larry to approve the following building permits: Darren Workman – 410 E. Webster, raze a building; Amy Rosier – 513 S. Benton, fence; Terry Rieger – 419 E. First, fence; Ashley & Enrique Navarro – 321 W. Second, concrete tornado shelter; and pending JR's approval: Steve Wilhelm – 119 E. Fourth, cement pad and dog kennel. Motion passed.
8. **Superintendent Report** – a) The black lines in the pool will need to be repainted in the fall. This is general maintenance, and he will be obtaining bids. b) JR has requested a proposal from NexTech for security cameras at the recycling center area and roadside park area and possibly linking it to a security system at the power plant. c) There were several power outages due to yesterday's storms. d) Weed letters will be sent beginning next week. e) JR is still working on the utility comparison. Currently there are numerous refuse rates from when the City ran its own trash service and he will be working with Jen to clean those up and make it more streamlined. f) JR attended a meeting with Sunflower to discuss the weather event and how the City is to be paid for the generation. They had originally proposed just paying the City as if we had accredited generation, which we do not, and giving us basically the labor and fuel costs and engine maintenance costs, which was \$15,880. Sunflower is wanting to address the emergency generation in the contract which JR disagrees with. The generation is ours and should not be called on by anyone but us. The amount now being offered is \$19,823. JR doesn't believe we are being compensated fairly, but will recommend that we agree to it as a settlement only if we are removed from all emergency call lists such as SPP. One of the requirements for settling is that we own our own generation. JR is waiting to hear back from Sunflower after they have spoken to SPP. g) JR will be attending the next County Commissioners meeting to discuss utilizing the County weed department for the large dryland areas that we maintain such as the frontage road, roadside park, islands and possibly along the railroad tracks since the County has the large equipment that is better suited for those areas. The Council

approved that if the County agrees with it and the cost is reasonable that JR can go ahead and have them do it. h) JR will talk to Ward Electric regarding the surety bond that the auditors noted. I) JR will be seeking bids for the contract maintenance work at Keller Pond. A motion was made by Dara and seconded by Kale to accept and file the Superintendent report. Motion passed.

9. **Attorney Report** – a) Lauren shared the updated commercial lease agreement between the Cheyenne County Kansas Community Foundation and the City. Lauren went over the changes that had been made since the last review by the Council. A motion was made by David and seconded by Amanda to approve the agreement. Motion passed with Dara abstaining. b) Lauren spoke to Cody today regarding the cases that are being handled by District Court and by the Municipal Court. The Sheriff's office has been taking higher level cases to the District Court which is more appropriate and cost effective than Municipal Court. Cody provided reports for the Council to review prior to the next meeting and Lila has put them on the share. Municipal Court in June has been postponed until June 24. c) Lauren requested 5 minutes of executive session for non-elected personnel to discuss a personnel issue. A motion was made by Amanda and seconded by Larry to accept and file the Attorney report. Motion passed.
10. **Clerk Report** – a) The food pantry has submitted receipts totaling \$17,138.89 for reimbursement and a request for payment of CDBG funds. After this payment there will be \$1,984.38 remaining for the food pantry. Justine with Northwest Kansas Planning & Development Commission is also requesting \$1,500 of the \$3,000 remaining for the grant administration fees. A motion was made by Amanda and seconded by Kale to approve draw down #4 for the 20-CV-116 project in the amount of \$18,638.89. David – yes, Kale – yes, Amanda – yes, Dara – yes, Larry – yes. Motion passed. b) The instructor for the lifeguard certifications would not submit the names to the Red Cross until payment was received so the Mayor authorized an out of cycle payment of \$1,980 to Egan Grafel. c) Per the Mayor's request, a motion was made by Kale and seconded by Amanda to make an out of cycle payment to the Lighthouse for \$4,350 for the work at the Roadside Park restrooms. Motion passed. d) Lila is waiting on a document from the IRS to certify our exempt status and then will be submitting the SVOG application. e) Lila provided to the Council a list of all peddler's licenses that have been issued thus far. f) Amy Barfield returned the required signatures for the variance request at 404 Parkway for a Day Care. g) A motion was made by Amanda and seconded by Kale to authorize Helen Dobbs to purchase 5000 Cherry Creek Encampment brochures at a cost of \$1,071.20 plus shipping. Motion passed. This will be paid for out of the Guest Tax fund. h) LMI surveys were sent out today with a June 10 deadline for submission. A second survey will be sent to those who have not responded by then. i) Lila will begin working with Angela on the budget and the Council will need to schedule a budget workshop the last week of June. j) A motion was made by Larry and seconded by Kale to renew Western State Bank CD 1447000224 for \$100,000, 1447000225 for \$10,000, and 1447000226 for \$7,000. Motion passed. It was moved by David and seconded by Kale to not renew FNB CD 18382 for \$25,000 and to move those funds to Western State Bank. Motion passed. It was moved by Amanda and seconded by Dara to accept and file the Clerk report. Motion passed.
11. **Council Comments:** David – will not be at the 1st meeting in June. The CCDC board recently discussed how difficult it has become for local businesses to find people to work. There are many job openings in town. Kale – none Amanda – requested 10 minutes of executive session for non-elected personnel to discuss job duties and performance. Dara – none Larry – Has had numerous complaints regarding potholes.
12. **Mayor Comments** – none *JR left the meeting.*
13. At 9:02 a motion was made by Amanda and seconded by Kale for the Council, Mayor and City Attorney to recess into **executive session** for the non-elected personnel exception for the subject of personnel issue, the open meeting to resume at 9:07. Motion passed. The open meeting resumed. No action was taken.
14. At 9:10 a motion was made by Amanda and seconded by Larry for the Council and Mayor to recess into **executive session** for the non-elected personnel exception for the subject of job duties and performance, the open meeting to resume at 9:20. Motion passed. The open meeting resumed. No decision was made.
15. **Adjournment:** It was moved by Larry and seconded by Amanda to adjourn the meeting. Motion passed.