

Regular Council Meeting

July 26, 2021

1. **Mayor Scott Schultz called the meeting to order at 7:00.** Present were Council members David Butler, Kale Dankenbring, Amanda Milne, Dara Carmichael, and Larry Finley. Also present were City Superintendent JR Landenberger, City Clerk Lila Whitmore, and City Attorney Lauren Reyelts. Sheriff Cody Beeson was absent.
2. **Minutes** from the July 12 Council meeting were distributed and read. It was moved by Amanda and seconded by Kale to approve the minutes as written. Motion passed.
3. **Sheriff's Report** – Statistics from the Sheriff's department were reviewed. Larry indicated he is still getting a lot of complaints about untagged vehicles parked on the streets as well as untagged ATVs. JR talked to Cody about this, and he indicated that they have started issuing warnings and will begin issuing citations. Lauren stated that residents should report this to dispatch so it gets on the logs.
4. **Visitors** – Bernadeen McLaughlin
5. **New Business:**
 - a. **Elmer Kellner** addressed the Council regarding several topics. First, he let the Council know about the training sessions for the carnival rides at the fair. He talked about the Welcome Packets that are being distributed at City Hall and the need to ensure all new residents receive them. Lila indicated that they started handing out the Welcome Packets from CCDC, which also includes the Lion's Club Community calendar, last December. They had run out of them for a period of time and have followed up with phone calls to those individuals who had not received them. She also pointed out that the City has always handed out packets of important information that is relevant to the City and continues to do so. Elmer asked that the Council give some thought to how we can make people feel welcome in our community and how do we invite them to become involved. Elmer again expressed concerns regarding the lack of information from the City Council meetings being published in the St. Francis Herald. He's not had any luck reaching the owner of the paper. Lila pointed out that the meeting recordings are available on the City website usually the morning following the meetings and that the minutes are also on the website after approval of the Council. He asked that the Council think about how we can help keep the public more informed about what is happening at the City. Elmer is also concerned about the high cost of housing rentals in town. He also commented that there doesn't seem to be a common place to look for jobs that are available locally. There are several places that list job openings including the CCDC website, a Facebook page, and the Herald. Elmer also gave the Council information regarding an upcoming course on fundraising for non-profits organizations.
 - b. **Roger Jensen** addressed the Council to see if something could be done about the east end of the swimming pool before next year. This dirt area is heavily used during swim meets. He was at the new pool in Grant Nebraska recently and they use a lot of ground rubber. He suggested putting concrete along the outside edges with the ground rubber over the middle where the water lines are. Lila indicated that in 2018 the Council had approved up to \$35,000 from the capital improvements fund for various projects at the pool. Of that amount \$27,100 was spent on sprinklers, landscaping, concrete sidewalk, and other improvements. The Council discussed various options that could be considered. The Mayor and JR will take a closer look at the area to see what they can come up with and JR will then seek to obtain bids.
 - c. A motion was made by Kale and seconded by Amanda to approve the Mayor's appointment of Jo Ford to the **St. Francis Housing Authority board**. Motion passed.
 - d. The application from Riverside Recreation for a **special event temporary permit** to sell alcoholic beverages at the Concert in the Park August 28 was reviewed. Lila indicated that she could not create the resolution until the permit fee had been paid. Lauren stated that payment would be coming from her office as a contribution to the event and that she should also be the one to create the resolution. Mayor Schultz stated that he had instructed Clerk Whitmore to create the resolution to which Lauren responded that the City Clerk should not be drafting legal documents. Lila stated that she had reached out on the Clerk link and found that many City Clerk's create standard resolutions where only minor changes are made to existing resolutions such as names and dates.

Attorney Reyelts stated that she is bound by her ethical obligation and oath to report to the Kansas bar any unauthorized practice of law. The Council discussed it and Lauren stated she would be fine with the Clerk creating the resolutions if they are also sent to her for her review. There would be no fee to the City for the review. The Council agreed. A motion was made by Kale and seconded by Amanda to approve Riverside Recreation's application for a special event temporary permit to sell alcoholic beverages at the Concert in the Park August 28 pending creation and approval of the required Resolution. Motion passed. Lila will check with the League Counsel for their input on this subject and Lauren will look into it with the ethics board.

- e. A motion was made by Kale and seconded by Larry to approve the **CMB License** application for Lourdes Vallego dba El Jalapeno Mexican Restaurant. Motion passed.
- f. A motion was made by Kale and seconded by David to approve the **Liquor License renewal** for Charles Graves dba Sainty Liquor. Motion passed.

6. Old Business:

- a. **Property Cleanup – a)** The property owner of 118 W. Emerson has provided a plan with a timeline for completion of the improvements that need to be made. **b)** Weed letters are ongoing. **c)** Ted McCoy, property owner of 417 E. Jackson, was present in response to the condemnation notice he received. Mr. McCoy indicated he had done some work on the house by patching the hole in the roof and replacing a broken window. Superintendent Landenberger stated there is more work to be done. There was considerable discussion regarding the conditions of the property and the repairs that need to be made. JR and the Mayor will reinspect the property and provide a list to Attorney Reyelts of what needs to be completed. Mr. McCoy stated he would not be able to come back to town to inspect the property along with them. Attorney Reyelts will put a pause on the condemnation proceedings. Once a list is provided to Attorney Reyelts she will send it to Mr. McCoy via email so that he can then propose a timeline of when he can get the repairs completed.
- b. **Projects Pending – a)** Lila confirmed that an ad had been placed in the St. Francis Herald and the Milesaver Shopper requesting bids be submitted for the painting of the band shell, but she has not received any responses. **b)** Amanda has spoken with Michael Baxter with Jeter Law firm. She has gathered emails of previous contact made with the State and will be getting that information to him. Lauren will touch base with him as well prior to the next Council meeting. **c)** The Mayor will follow up with Greg Kite regarding the band shell grants. **c)** Amanda stated that she had spoken to Sheriff Beeson regarding the flags on ATVs and he is favor of that. The Council agree to wait until the end of the year to modify the ordinances so it can be put into place at the beginning of next year.
- c. **Streets Project –** The concrete subcontractor will be here next week. JR is working with the grocery store to ensure access is maintained. JR talked about some additional areas of curb and gutter that have been marked for replacement, above what was initially identified as being structurally bad. There are reasons these are being replaced such as ease of construction. This will not change the amount that is to be assessed to the property owners as specified in the initial letters sent and the City will pay for any additional cost. There are some problems with the asphalt supply which may delay construction. The contractor has a KDOT obligation and will need to pull out the first of September for a month which will move the deadline date from the 1st of October to a later date. They hope to have the majority of the concrete work done before then, weather dependent, so that a first layer of asphalt can be placed. Asphalt can be put down as late as November. JR is working with Tyler Hillmer with Miller & Associates and the contractor as it doesn't affect the quality of the project but does affect the contract. Lauren pointed out there will need to be a written addendum on the contract to account for this. The estimated cost from McCormick Excavation for 4th Street and Parkway to fix the erosion problem and to protect the investment in Parkway is \$39,734 for concrete or \$26,714 for a combination of concrete and asphalt. JR believes the lower estimate is a viable solution but will be seeking a recommendation from the engineers. JR has had a request from a property owner for additional curb and gutter work to be done at the property owner's expense but asking if it could be assessed on the property taxes. Lila will check on how the Heritage Lumber project was done.

7. Pool Report – none

- 8. Building Permits** – A motion was made by Larry and seconded by David to approve the following building permit: Lane Hoffman – 221 W. Spencer, privacy fence. Motion passed.
- 9. Superintendent Report** – **a)** Three estimates were received for the pool painting: Baker Painting - \$45,870; Torrey Bros. Construction - \$53,900; Utility Maintenance Contractors - \$59,450. The bids are all comparable in scope and product. A motion was made by Amanda and seconded by David to approve the bid from Baker Painting. Motion passed. Work will be completed this fall. **b)** The first load of recyclables was taken to Hutchinson. The trash truck broke down on the way back but has since been repaired and is back in operation. Byron Moberly has expressed an interest in driving the trash truck to and from Hutchinson. JR is also coordinating with Bird City for hauling of their recyclables. **c)** JR received a call from the Cheyenne County Museum asking permission to remove the existing cement mixer monument that recognizes Astronaut Ron Evans and put up a sign between the Museum and the information center instead. The Council agreed that would be fine. **c)** Ward Electric has started work on the electrical infrastructure improvements. **d)** American Boiler should be here this week to replace the boiler at the power plant. **e)** JR let the Council know that both locators for locating underground utilities had failed. They can and will be recalibrated, but this takes time, and where both had failed, and we cannot be without one JR had to rush order a new one at a cost of \$4,059. A motion was made by Amanda and seconded by Kale to approve the purchase. Motion passed. **f)** JR has been working with Chris Miller regarding the Water Control System. Chris agrees that ARPA funds can be used for this, and they will be obtaining the required 3 bids. A motion was made by David and seconded by Larry to accept and file the Superintendent report. Motion passed.
- 10. Attorney Report** – **a)** There have been several Municipal Court cases assigned to court appointed counsel. A plea agreement for jail time rather than fine payment has been submitted for one case where the defendant is not financially able to pay the fine, and she may be offering a similar plea agreement on another case. This will be more cost efficient for the City. There was discussion regarding the property at 104 W. Whittier. It is in the process of changing ownership and progress has been made on the property. The property at 118 W. Emerson has been determined to be structurally sound and habitable. Lauren will remove it from condemnation and will instead send a property cleanup notice. A motion was made by Dara and seconded by Kale to accept and file the Attorney report. Motion passed.
- 11. Clerk Report** – **a)** A Performance Public Hearing for the CDBG-CV grant has been scheduled for 7:00 pm on August 9. Justine has indicated that Mayor Schultz can go ahead and sign the documents prior to the hearing and the Council can approve them during the hearing. The notice was published in last week's paper. Justine or one of her wo-workers will join the hearing via phone. **b)** Lila received a call from the Kansas Commission of Peace Officers indicating they were never notified that our Police Department had been dissolved and they still had Officer Butler and Officer Willemsen listed as employees of the Police Department. Lila presented a statement on City letterhead stating that effective December 31, 2019, the St. Francis Police Department was disbanded and the City of St. Francis has contracted with the Cheyenne County Sheriff's Department to provide law enforcement services for the City. The Mayor signed the notice. She will send this along with documentation for each officer showing when they were terminated as employees of the City, which the Mayor also signed. **c)** Lila updated the Council on the Dog Park grants. The application for the Hansen Pass-thru grant was approved in June and the status on the New Generation Fund application is currently undecided. Dara indicated the Community Foundation would be meeting on Tuesday July 27. **d)** Lila updated the Council on the LMI survey. As of today, there are 255 surveys that have not been returned. The current LMI count is 482 and we need at least 612. The recommendation is to have a higher count than that in case any surveys are rejected. The surveys must be submitted to NWPK&DC no later than August 20. Justine indicated that the address list cannot be shared in an open meeting but if a door-to-door effort will be done it can be shared with the Council. Lila will send the list in an email to the Council. **e)** As has been done in the past the Council approved giving employees the Friday afternoon of fair off to enjoy time with their families. It was moved by David and seconded by Kale to accept and file the Clerk report. Motion passed.
- 12. Council Comments:** **David** – the CCDC will be recognizing 23 new businesses in the County with ribbon cuttings and articles will be put in the paper. They will recognize 2 businesses each week. Lila will also put these articles on the City website. David will let Lila know when the ribbon cuttings are scheduled, and she will pass the information on to the rest of the Council. **Kale** – none **Amanda** – none **Dara** – none **Larry** – none

13. Mayor Comments – none

14. Adjournment: It was moved by David and seconded by Kale to adjourn the meeting. Motion passed.

City Clerk