

Regular Council Meeting
October 25, 2021

1. **Mayor Scott Schultz called the meeting to order at 7:00.**
2. **Minutes** from the October 12 Council meeting were distributed and read. There was one correction. It was moved by Amanda and seconded by Kale to approve the minutes as corrected. Motion passed.
3. **Minutes** from the October 18 special meeting were distributed and read. There was one correction. A motion was made by Amanda and seconded by Larry to approve the minutes as corrected. Motion passed.
4. **Sheriff's Report** – **a)** Sheriff Beeson met with Attorney Revelts today regarding the property cleanup of the Lampe property. There was a misunderstanding as to what the next steps were going to be, which is to go to the City ordinances that are in direct violation when they are observed and write a ticket at that time. There are a couple other properties that may require the same type of enforcement action. Cody will look at those properties and will check with JR and Lauren to ensure that processes have been followed before a citation is written. **b)** There were 60 less calls in October than the previous month. Several people have been sent to the Department of Corrections recently which Cody believes is driving the lower call volume. **c)** A new deputy will be starting November 1 and will be attending KLETC training. Once he completes training the department will be fully staffed and Sheriff Beeson hopes to have deputies in town specifically during certain hours of the day. There is a night shift starting at 8pm which currently has one deputy covering the entire County. Once fully staffed, on the high-volume nights they will have 2 deputies working with 1 covering a 5-mile radius around and including St. Francis. This will improve response times and they will be able to be more proactive on City Ordinances. **d)** The ordinance regarding parking of campers and RVs on city streets was discussed and Cody indicates his deputies are aware of it. **e)** Lauren had brought to Amanda's attention a citation that had been issued for a resident with too many dogs. A few years ago, there had been a similar case where Attorney Day had written a letter to give them 30 days to comply before a citation was issued. The Council discussed giving written warnings or letters for some code violations prior to citations being issued in order to give people an opportunity to take care of the issue. The time to comply needs to match the severity of the violation. Lauren indicated that some violations, for example not having a chicken permit, could be given 15 to 30 days to comply, but others such as repeated complaints of a barking dog should be given 24-48 hours to abate the condition. The actual number of days could be determined by the deputy. The written warnings or letters would also give Lauren the documentation she needs to prosecute a case once a citation has been issued. Cody will create a form that can be used for written warnings. Copies of the warnings will then be attached to any ticket that is written. **f)** Lauren talked more about the property cleanup issue at Lampe Motorsports. In the final notice letter she sent, in addition to the property cleanup violations under chapter 8, the letter included violations under chapter 13 relating to impeding traffic on sidewalks, streets, or alleyways. These ordinances do not require a waiting period and a citation can be issued when a violation is observed. **g)** Larry asked for an update on the damage that was done at Keller Pond. This is an open investigation and cannot be discussed in open meeting. A motion was made by Larry and seconded by Amanda for the Council, Mayor and all those present to recess into **executive session** for the attorney client privilege exception for consultation with the Attorney on an ongoing investigation, the open meeting to resume at 7:35. Motion passed. The open meeting resumed, and no action was taken. A motion was made by Larry and seconded by Dara to accept and file the Sheriff's report. Motion passed.
5. **Visitors** – none
6. **New Business:**
 - a. A motion was made by Kale and seconded by Amanda for the Council to approve and sign the County Transportation Program Letter of Commitment. Motion passed. The funds for this in the amount of \$5,500 are allocated each year in the budget.
7. **Old Business:**

- a. Property Cleanup – An email has been sent to Ted McCoy regarding his property at 417 E. Jackson Street. Attorney Reyelts shared the email and pictures of the property with the Council. Notices were sent today to three additional property owners. Lauren discussed the process that is followed with the property cleanup notifications.
 - b. Projects Pending - Amanda visited with Michael Baxter with Jeter Law Firm regarding the access road and crossovers. He will be contacting JR for more background information on the issue. Lauren indicated that a draft of the ATV/golf cart safety flag ordinance will be ready for review at the first meeting in November so that it can be approved at the second meeting, published in December, and become effective in January. Cody stated they may try to have a “registration day” in January at the fairgrounds or possibly the EMS building where people could bring their recreational vehicles and get them registered.
 - c. Streets Project – McCormick Excavation was here last week working on the streets. They are back in Colby this week but will be returning the following week and should then be here until the work is completed.
8. **Building Permits** – none *Sheriff Beeson left the meeting*
 9. **Superintendent Report** – **a)** The boiler at the power plant is still inoperable. It is fully installed and the flue is wired and they should be here again at the end of this week or next week. **b)** Ward Electric has completed the work for this year. JR would like to prioritize more electrical improvements for next year. Lila will check the minutes for past discussions and will also check the budget. **c)** JR has spoken to Brock McAtee regarding the work to be done at the pool, on the City Hall steps, and on main street. It is too late in the year to do this work now, but it will be on his schedule for spring of next year. **d)** John Hathaway with Architectural Design Associates has completed the drawings for the Theater project. JR will be reviewing them. A motion was made by Dara and seconded by Amanda to accept and file the Superintendent report. Motion passed.
 10. **Attorney Report** – Attorney Reyelts met with Cody regarding numerous old court cases that are still open. Several of them will be dismissed. There are others with outstanding warrants that will remain open. A motion was made by Amanda and seconded by Kale to accept and file the Attorney report. Motion passed.
 11. **Clerk Report** – **a)** The City was awarded a grant of \$5,000 from the Cheyenne County KS Community Foundation for the bandshell painting. **b)** Lila shared information regarding the ARPA funds that are eligible to be used as revenue replacement for various funds. Based on the revenue calculator provided by the League of Kansas Municipalities, the total revenue replacement amount is \$52,075.25 and breaks down as follows: General Fund - \$35,051.44; Library Fund - \$1,769.81; Special Highway Fund - \$3,393.62; Alcohol Revenue (Special Parks fund) - \$19.65; Guest Tax fund - \$1,385.02; Sewer Fund - \$5,485.94; Refuse Fund - \$4,969.77. Ten percent of the ARPA funds, which is \$19,600.49, can also be used for Administrative Costs. Since the Clerk salary is paid out of the utility fund, this amount can likely be put back into the utility fund. If not there, they would go into the general fund. Lila will confirm with the League which fund is appropriate. A motion was made by Dara and seconded by Larry to authorize the transfer of these funds from the ARPA grants to the various funds. Motion passed. The auditors have indicated that state statute allows for funds received from federal aid to be expended above budget authority. **c)** The Council agreed to allow Jen Blair to carry over 33 hours of vacation on her anniversary of October 29. A motion was made by Larry and seconded by Kale to accept and file the Clerk report. Motion passed.
 12. **Council Comments:** **Kale** – none **Amanda** – none **Dara** – Let the Council know that Santa will be going down Washington street on Monday December 6 and will be at 202 on Washington. **Larry** – none
 13. **Mayor Comments** – none *Attorney Reyelts left the meeting.*
 14. At 8:07 a motion was made by Amanda and seconded by Kale for the Council and Mayor to recess into **executive session** for the non-elected personnel exception to discuss the City Clerk applicants, the open meeting to resume at 8:22. Motion passed. The open meeting resumed. A motion was made by Amanda and seconded by Kale to go back into executive session, the open meeting to resume at 8:40. Motion passed. The open meeting resumed. No decisions were made. The Council would like to conduct follow-up interviews with two of the candidates. The Council felt that Monday November 1 at 7pm would work. Lila will contact the applicants to schedule the interviews.

15. Adjournment: It was moved by Amanda and seconded by Larry to adjourn the meeting. Motion passed.

City Clerk