

Regular Council Meeting
June 27, 2022

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 Interim City Superintendent Dan Blair, City Clerk Lila Whitmore, Assistant City Clerk Leann Lee, City Attorney Lauren Reylets, and City Treasurer Jen Blair.
2. **Minutes** from the June 13th 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 Report** – On behalf of Sheriff Beeson, Lila shared the June statistics. Lila had asked Eric Harper if there was a way to remove statistics from the reports that are not specific to the City, such as VIN inspections. He indicated it would be a manual process for him to do but he might be able to help with that.
4. **New Business:**
 - a. Options Domestic Violence – The representative was not able to attend the meeting. The Council acknowledged the work the organization does and the budgeted allocation to this will be discussed at the budget workshop.
 - b. Connor Brogan was present to talk with the Council about the property he purchased at 801 - 811 S. River. He would like to eventually open an automotive repair and machine shop business at the west end of the property. He presented his plans to install an 8-10 ft chain link fence with a fabric type covering around the property so that the autos and other equipment for the business would not be visible from the highway and adjoining properties. The height is more than the 6-foot authorized by City code and he requested the Council consider an exception. A motion was made by Amanda and seconded by Kale to approve an 8-10 foot tall fence. Motion passed. The Council also discussed the zoning of the property. At this time, based on zoning maps, it appears to be zoned residential and Mr. Brogan will need to obtain a zoning variance to run a business there. The Council also discussed rezoning the entire area along River street South of Highway 36 to be combined use residential/commercial. Amanda will confirm the current zoning but in the meantime the Council identified the following property owners who would be impacted by a zoning variance: Western Auction, KDOT, Fern Forsythe, and Kathleen Ewing. Mr. Brogan will contact Clerk Whitmore for the necessary paperwork to begin the variance process. A building permit had also been approved by Mayor Schultz for Mr. Brogan to install a 6 ft wooden fence on the property. A motion was made by Amanda and seconded by David to approve the building permit. Motion passed.
 - c. There is a burn ban in the unincorporated areas of Cheyenne County and the Council discussed a burn ban within City limits. The Council decided to allow the discharging of fireworks in the City limits but asked that the businesses selling fireworks post signs to ensure people know that there is a burn ban in place and to use caution when discharging fireworks and to be mindful of their surroundings and windy conditions. Lila will get the information to the fireworks businesses. A motion was made by Kale and seconded by Dara to approve the Fireworks License Applications for Milne's Mayhem/Jennifer Milne at 215 N. Adams and Flash Enterprises, Inc./Gary Lillich at 108 W. Washington. Motion passed.
 - d. Mayor Schultz spoke to the Council about a memorial sign that the Historical Museum would like to erect in the space between the museum and the Veteran's Memorial to honor Astronaut Ron Evans. The Council gave their permission. The Council also approved the installation of a light similar to the one installed at the Veteran's Memorial.
5. **Old Business:**
 - a. Jordan Zwegardt shared the updated designs for the billboard signs. The Council provided feedback and Mr. Zwegardt will continue working on the design.
 - b. Gary Hill with Hill Trash Pickup was present and there was further discussion regarding the trash contract. After much discussion Mr. Hill and the Council agreed that Hill Trash Pickup will pick up only the green carts on Tuesdays for \$18.90 per cart plus \$10 for extra carts. This will be the City's cost. Customers will be paying the rates that were decided at the May 23

Council meeting. The City will take care of all the dumpsters and any second pickups on Friday, as well as any carts on City property such as the parks and City Hall. Gary is asking for a complete audit and the Council gave approval for Jen Blair to assist with this. Mr. Hill and the Council also agreed to an annual review of the contract. Mr. Hill pointed out that the green dumpsters belong to Hill Trash Pickup and the City will need to find replacements. Mr. Hill left the meeting. There was further discussion and the Council requested Lauren amend the contract and she will have it ready for Council review at the next meeting. It can then be sent to Mr. Hill for his review and it would then be ready for final approval at the July 25 meeting with a commencement date of August 1. The Council asked Dan to come up with an estimate of what it would cost the City if we were to move all of the trash service back to the City.

- c. Property Cleanup** – Mayor Schultz went over the list of properties on the cleanup list. Some are making progress, but others will be receiving citations for non-compliance. Scott pointed out that when property owners receive a notice if they reach out to the City we can try to work with them on the timeframe for completing the cleanup as long as progress is being made.

d. Projects Pending

- The Washington Street banners have been approved.

e. Streets Project –

- i. There will be a public hearing on July 11 at 7pm at the beginning of the regular Council meeting to close out phase 1 of the street project.
- ii. Lila has been in contact with Kevin Cowan with Gilmore and Bell regarding the use of unspent bond funds. We will need to have an amending bond resolution to include the new projects as projects on which the 2020 bond proceeds may be spent. The current balance of the bond fund is \$48,611.92 of which \$1,123.56 is interest earned and the remaining bond proceeds are \$47,488.36. The Council approved having Mr. Cowan create the amending bond resolution.
- iii. Tyler Hillmer with Miller & Associates has indicated that the design fee will be \$61,500 for phase 2. This will be due after the project has been bid out which Tyler anticipates will be this fall. After using the funds from the bond account we will need to use either Capital Improvement or Infrastructure Improvement funds for the remaining \$12,900. The Council approved using Capital Improvement funds for this. They would like to wait until after the first of the year to begin the bond process.

6. Visitors – none

7. Pool Report – no updates

- 8. Building Permits** – A motion was made by David and seconded by Larry to approve the following building permits: United Methodist Church- 512 S. Scott, run concrete; Alice Barclay – 511 W. Spencer, cedar fence; and pending Dan Blair’s approval John Knodel – 116 E. Spencer, egress window. Motion passed.

9. Superintendent Report

- Ward Electric is in town and completing work on the electrical infrastructure improvements.
- Dan has contacted Exline for the work needed on the 12-cylinder engine. They are shorthanded and it will be fall before they can get to it. Dan has a couple more resources to contact.
- Dan is also waiting on someone to look at the boiler.
- The Fascia board at the library was damaged and needed replace, which Justin has taken care of.
- T&R services is asking \$2,200 to dispose of the transformers. Dan is checking to see if there are less expensive options.
- Solomon Electric can get the 750KVA transformers in about 12 weeks at a cost of \$32,965. Dan is looking for other quotes but we do need to have one on hand as a spare.
- The Led sign at the EMS building now has two modules that are out. The sign may no longer be supported. Dan is waiting to hear back from Colby sign regarding the other sign also.
- Atlas Automation has provided a quote of \$68,674 for the water control system. Three quotes are needed if we are going to use ARPA funds for this and Dan is checking into it.

- The Council approved getting a cell phone to be used as an “On Call” phone. Dan is still looking into it. The phone would be used by the person on call, and would be a primary point of contact for City Hall for things such as utility reads and shutoff notices.
- Derek Fromholtz has expressed an interest in taking tin cans from the recycling center. He would need to provide proof of liability insurance if he is removing these from the recycling center/city property.
- The Mayor has not heard back from Brock McAtee regarding the work at the east end of the pool, the damage at Keller pond, or the City Hall steps.
- Weeds on the islands on the highway need to be address. There are also many weed letters being sent.
- A motion was made by Kale and seconded by Amanda to accept and file the Superintendent report. Motion passed.

10. Attorney Report

- Lauren shared Ordinance 638 which repeals Ordinance 635 regarding the trash rates, which was not published. A motion was made by Kale and seconded by David to approve ORDINANCE NO. 638 – AN ORDINANCE REPEALING ORDINANCE 635 AND REINSTATING ARTICLE 5 OF CHAPTER 15 OF THE CODE OF THE CITY OF ST. FRANCIS KANSAS AS PREVIOUSLY WRITTEN. David – yes, Kale – yes, Amanda – yes, Dara – yes, Larry – yes. Motion passed.
- Lauren clarified the ordinance pertaining to rezoning of a property and pointed out that in order for the property at 801 S. River to be rezoned, Mr. Brogan would need to obtain consent of the owners of 80% of the area of the land deemed by the Council to be immediately affected by the proposed use area. Once he obtains that there would need to be publication of a public notice followed by a public hearing 30 days after publication. Mr. Brogan would be responsible for the costs associated with the process.
- There was further discussion regarding the trash carts that would be picked up by the City vs. Hill Trash Pickup. Lauren will reach out to Jen to confirm accounts.
- A motion was made by Dara and seconded by Kale to accept and file the Attorney report. Motion passed.

11. Clerk Report –

- A motion was made by Amanda and seconded by Larry to approve the Adams Brown Budget Engagement Letter in the amount not to exceed \$1,670. Motion passed.
- Lila pointed out that it was discovered that the Food Pantry is being operated at 405 S. Lorraine without a zoning variance. The Council determined that the property owners impacted are Kyle Schultz, John Guthmiller, Dorothy Hankins, and Sam Luncsford. Lila will send a letter to the Food Pantry letting them know they are out of compliance and what they will need to do to obtain a zoning variance.
- It was also discovered that the owners of the property at 505 S. Lorraine are operating a day care without a zoning variance. The Council determined that the property owners impacted are Dorothy Hankins, Sam Luncsford, Sarah Yardley, Jacqueline Cole, and Don Lesuer. Lila will send a letter to the property owners letting them know they are out of compliance and what they will need to do to obtain a zoning variance.
- Amanda asked how the City currently handles AIRBNBs with regards to zoning as there are several of them popping up in town. Lila confirmed that if we know about them they are charged commercial rates for utilities, but it has not been consistent in how the zoning variances are being enforced. Lila will check into what other cities are doing for AIRBNBs and house rentals. Larry pointed out that the City doesn’t want to discourage these lodging businesses, but we need to be consistent and fair to all of them when it comes to enforcement of the zoning variances.
- Lila shared the agenda for the upcoming Kansas Infrastructure Summit to be held in Wichita on July 13-14 and asked any Council members interested to let her know so they may be registered for the conference.

- The Nex-tech agreement is up for renewal and some services are being discontinued, but it should not affect the City's current phone service. The cost is expected to remain about the same. A motion was made by Larry and seconded by Kale to approve the Nex-tech agreement. Motion passed.
- A motion was made by Amanda and seconded by Kale to appoint Dan Blair to fill the unexpired term of JR Landenberger as Director 2 on the KMEA Board of Directors. Motion passed.
- Lila asked for guidance from the Council on what to do with residents who have chickens without a permit. The Council agreed that they should be treated the same as other similar code violations with a letter being sent, and then if no response a second and final letter is sent making it clear that continued non-compliance will result in a citation being issued which would be a minimum of \$158 in court costs plus up to \$1,000 fine.
- Amanda asked about the ATV permits and Lila confirmed that Cassie Weinstein in the Sheriff's department scans the permits before giving the originals to the vehicle owner. Cassie will start sending these to Lila on a regular basis.
- Lila requested 5 minutes of executive sessions to share an employment application received.
- A motion was made by David and seconded by Kale to accept and file the Clerk report. Motion passed.

12. Council Comments: David – none Kale – none Amanda – none Dara – none Larry – none

13. Mayor Comments – none *Attorney Reyelts left the meeting*

14. At 10:51 a motion was made by Amanda and seconded by Dara for the Council, Mayor, Interim City Superintendent, City Clerk, and Assistant City Clerk to recess into **executive session** for the non-elected personnel exception to discuss applications for the city crew position, the open meeting to resume at 10:56. Motion passed. The open meeting resumed and no action was taken.

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

City Clerk