

Regular Council Meeting
October 11, 2022

1. **Mayor Scott Schultz called the meeting to order at 7:00.** Present were Council members David Butler, Kale Dankenbring, Dara Carmichael, and Larry Finley. Also present were Interim City Superintendent Dan Blair, City Clerk Lila Whitmore, Attorney Lauren Reyelts, and Assistant City Clerk Leann Lee. Council member Amanda Milne was absent.
2. **Minutes** from the September 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 Larry 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; Permission for Clerk to pay City Attorney bills when due. Motion passed.
4. **Sheriff Report** - none
5. **New Business:**
 - a. **Janet Carmen – Hardt Gallery** – Lila indicated that the 202 on Washington Board may be wanting to plant a tree in one of the grates in front of the building.
6. **Old Business:**
 - a. **Property Cleanup**
 - Courtesy letters will be sent to two properties that had come into compliance but are getting close to becoming non-compliant again. The Mayor took pictures of them. The property on Fourth street is good again.
 - b. **Projects Pending**
 - Lila shared information from the Historical Society regarding the grounds for removing a property, such as the bandshell, from the National Register. Correspondence from Greg Kite and a representative from the Kansas Historical Society regarding the bandshell was reviewed. The Council discussed the repairs of the seating area. It is not just basic concrete work and will require someone with expertise. The information received from Mr. Kite included names of potential contractors. We would be eligible to apply for the Heritage Trust Fund grant program and applications are due by November 1 of each year. We would need to get bids for the work. The Council agreed to reach out to the company in Eureka Kansas that was mentioned at the last meeting and also seek out other companies who might be able to do the work.
 - There was considerable discussion regarding the recent requests for the City to pay for 3-phase power for new businesses. Resolution 2006-5 relating to new commercial construction was reviewed. This resolution establishes utility hookup incentives for new construction where any fees or costs associated with bringing in one-phase electrical service is waived. It also states that requests for multiple phase electrical service waivers, abatements, or cost share treatment shall be considered on a case-by-case basis. Dan shared information regarding costs for different types of pole mount transformers. A 25KVA single phase is currently \$1536, heavy 3-phase is \$4257, and a light 3-phase is \$2955. Pad mount transformers are quite a bit more. The lead time on pole mount transformers is 52 weeks. Dan indicates that we have spares on hand but could be in trouble if we have a big storm. The Council agreed that we need to support businesses but the City can't absorb the costs of the transformers. After considerable discussion, the Council decided that the city will provide single phase power. Customers requesting an electric upgrade for new construction would be responsible for the cost of materials above the cost of single-phase. Customers with existing single-phase service who are requesting an upgrade to 3-phase will be responsible for the cost of materials for the upgrade. The City will order the materials and the customer will purchase the materials at the City's cost. The customer would be required to pay for the materials up front and in full before the City would order

them. The City will provide the labor for installation regardless of whether an installation is new or an upgrade. A motion was made by Larry and seconded by Kale to approve the decision. Motion passed. Lauren and Lila will work on a policy to put into place. It was also pointed out that new businesses are eligible to apply for the employee-based utility incentive.

- A quote was received from Commercial Sign in the amount of \$2,977.50 for two printed billboard overlays and installation. The overlays are \$500 each, and the Council decided it would be a good idea to have two spares on hand. A motion was made by Dara and seconded by David to approve the quote to include two additional overlays for a cost of \$3,977.50. Motion passed.
- There was brief discussion regarding the Theater renovation project. Robert Grace and the Theater Board are waiting to pursue this further until we have a permanent City Superintendent in place.

- c. **Streets Project** – Lila received an email from Tyler Hillmer with Miller & Associates indicating that they are compiling the data from the survey of the streets and will then begin the design process. He stated they are on track to complete the design and bid the project this fall/winter for summer of 2023 construction. He has been in contact with contractors so they know this project is coming out for next year.

7. Visitors – none

- 8. Building Permits** – A motion was made by David and seconded by Kale to approve the following building permits: Trisha Zweygardt – 219 N. Frances, wood fence; Dan Baughman – 516 S. Benton, shed; Arleta Navarro Lopez – 321 W. Second, concrete slab; Gary Pittman – 414 S. Scott, concrete patio; Scott Barclay – 404 N. Birch, concrete; Pam Ochsner – 413 E. First, concrete. Motion passed.

9. Superintendent Report

- Fire Chief Blair requested permission to purchase two helmets for approximately \$700. A motion was made by Kale and seconded by Larry to approve. Motion passed.
- Fernando Montelongo, with St. Francis Supers, has requested a letter from the City stating that the City does not own the bulletin board that is on the outside front of their building. The council agreed that the City does not now, nor have we ever, owned the sign. Council gave approval for Lila to send a letter.
- The sidewalk at the Courthouse park restroom needs to be pulled up so that tree roots can be removed. There was discussion on how to do this without damaging the memory blocks that are there. Dan will take pictures of the memory blocks in the event that any of them are damaged during the work and would need to be replaced.
- Utility poles have been placed around the rock that was recently installed at the Roadside Park to prevent people from parking on it.
- The bathroom stall doors at the Roadside Park have not yet been installed.
- Dan received three quotes for the water control system: Atlas Automation - \$70,599.65; Microcomm - \$95,800; Hydro Optimization & Automation Solutions - \$107,159. The Microcomm bid did not include electrical work. Lila pointed out that we currently have \$125,495.30 in ARPA funds that could be used for this. After considerable discussion a motion was made by Kale and seconded by David to approve the low bid from Atlas Automation. Motion passed.
- Dan shared two quotes from Stanion Electric for materials that need to be ordered. The first quote is for \$1,009.32. He would like to order twice the amount quoted to replace stock that was used for the electrical upgrade. His recommendation is to split the total cost of \$2,018.64 between capital improvement and the electric fund. A motion was made David and seconded by Dara to approve the purchase. Motion passed. The second quote is for \$3,156.62 and is for materials used and to be used for the electrical upgrade to be paid for out of capital improvement. A motion was made by Larry and seconded by Kale to approve the purchase. Motion passed.
- We are waiting on the certification for the boiler at the power plant.

- Flood plain maps are being updated. The new maps have decreased the flood plain within the City limits. The National Flood Insurance will need to be updated.
- *David Butler left the meeting.*
- A Chicken Permit for Waynetta Haynes was reviewed. Currently she has too many chickens but will be getting rid of some. A motion was made by Larry and seconded by Dara to approve the permit pending compliance with the number of chickens allowed. Motion passed.
- A motion was made by Dara and seconded by Kale to accept and file the Superintendent report. Motion passed.

10. Attorney Report – Lauren shared Ordinance 642. This ordinance repeals ordinance 327, which was part of a joint resolution between Cheyenne County, Bird City, and St. Francis enacted in 1969 that established an Area Planning Commission. It will be published as a joint publication and Bird City has agreed to share in the cost. Lila will contact County Clerk Scott Houtman to confirm that the County will also share in the costs. In addition, because the public hearing was held prior to the full repeal of the joint resolution, Lauren did obtain acceptance of proposed zoning from both Cheyenne County and Bird City. A motion was made by Kale and seconded by Larry to approve Ordinance 642: JOINT RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHEYENNE COUNTY, KANSAS, AND ORDINANCE OF THE CITY OF BIRD CITY, KANSAS, AND ORDINANCE OF THE CITY OF ST. FRANCIS, KANSAS, PROVIDING FOR THE TERMINATION OF THE BIRD CITY-ST. FRANCIS-CHEYENNE COUNTY AREA PLANNING COMMISSION. Kale – yes, Dara – yes, Larry – yes. Motion passed. A motion was made by Kale and seconded by Dara to accept and file the Attorney report. Motion passed.

11. Clerk Report

- Robert Grace and the Theater Board have requested the Council approve a movie distribution agreement with Fathom. Lauren requested time to review the contract. *Lauren stepped out to do so.*
- A motion was made by Kale and seconded by Larry to approve the purchase of a projector bulb for the Theater at a cost of \$600. Motion passed.
- Lila shared a summary of the noise ordinance which Leann put together. Leann is working with Lauren on the actual ordinance that will be presented to the Council.
- Leann has not yet had an opportunity to work on the letter that will be sent out to residents regarding inoperable and abandoned vehicles. Leann will work with Lauren on the wording of the letter. The Mayor and Dan will soon be identifying those in violation of the ordinances. Scott indicated that many residents have already taken care of the inoperable vehicles that were on their properties. *Lauren returned to the meeting.* Lauren pointed out that the letters need to be based on what the ordinances say because there will be particular notice requirements that must be followed.
- Lauren reviewed the Fathom contract and has some questions/concerns. Lila will request Robert attend the next meeting to discuss the agreement.
- A motion was made by Kale and seconded by Dara for the Council to sign a letter of commitment for the Public Transportation Program. Motion passed. The City budgets \$5,500 each year for the program.
- LKM is hosting the 2022 League Legislative Dinners in Colby on October 25. Lila will email information to the Council.
- The shredding bins have arrived and Lila will begin purging old records.
- Lila pointed out that the refuse fund current cash balance is \$18,915.51. She is concerned that there may not be enough cash in the fund to carry through to the end of the year. We may need to make a partial payment for the trash service out of the general fund.
- A motion was made by Larry and seconded by Dara to accept and file the Clerk report. Motion passed.

12. Council Comments: Larry – none Dara – asked how the recycling was going. Dan stated that the recycling committee is talking about getting a compactor that could compact almost everything except glass. Kris Oldsen with CCDC will be looking into it further. Kale – none

13. Mayor Comments – none *Lauren left the meeting.*

- 14. All bills on Ordinance #1067 were reviewed.** Lila discussed one of the invoices for Kelley Milliken in the amount of \$675. She explained that there had been a misunderstanding on how the lifeguard training would be paid and Kelley had taken it upon herself to pay the instructor. The bill is for reimbursement to Kelley. Lila stated that it will need to be handled differently next year and the instructor will need to bill the City directly for the training. It was moved by Kale and seconded by Dara to approve the bills in the amount of \$216,863.77. Motion passed.
- 15. Adjournment:** It was moved by Dara and seconded by Larry to adjourn the meeting. Motion passed.

City Clerk