

Regular Council Meeting
October 24, 2022

1. **Mayor Scott Schultz called the meeting to order at 7:00.** Present were Council members David Butler, Kale Dankenbring, Amanda Milne, 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 Dara Carmichael was absent.
2. **Minutes** from the October 10 Public Hearing were distributed and read. It was moved by Larry and seconded by Kale to approve the minutes as written. Motion passed.
3. **Minutes** from the October 11 Council meeting were distributed and read. It was moved by Larry and seconded by Kale to approve the minutes as written. Motion passed.
4. **Sheriff Report** – none
5. **New Business:**
 - a. A motion was made by Kale and seconded by Amanda to approve the **Small Business Incentive** for Jackson Street Glass LLC/Jakob Church. Motion passed.
6. **Old Business:**
 - a. **Property Cleanup**
 - **Gene and Patty Voeller** were present to discuss the property cleanup letters Gene had received for his properties at 415 and 417 N. Benton. Gene explained the work he has done to bring the property into compliance but was concerned about the last letter he received indicating removal of a snow fence was still required. After discussion the Council agreed that it would not be necessary to remove the fence and that the properties are now in compliance.
7. **New Business (Continued):**
 - b. **Bud Erskin** addressed the Council regarding his plans to install EV charging stations at Majestic Service. He has been working on this project for over two years and hopes to apply for a KDOT grant in November. He may also receive assistance from the HW36 Association and the Cheyenne County Development Corporation. He had been in conversations with the previous City Superintendent to determine the power requirements to support the charging stations. Additional 3-phase power transformers would need to be installed and he was under the impression that the City would back the project. However, this was never brought to the Council for discussion or approval. Lauren pointed out that agents/employees of the City have no authority to make decisions or promises without consent of the Council. After considerable discussion the Council agreed that more specifics regarding costs would need to be provided before any decision could be made. Dan will get with Mr. Erskin to determine what is needed. Mr. Erskin also talked about the power that is currently shared between the Pizza Hut and Majestic Service. It was decided that it should be separated and Dan will look into this as well. On a different topic, Mr. Erskin expressed concerns about trucks parking along Highway 36 by Dollar General. It is a safety issue and he asked if “no parking” signs could be installed. The City would not have the authority to put up signs along the state highway. The Mayor indicated we will try to get in touch with Brent Rogers with the local KDOT.
8. **Old Business (Continued):**
 - a. **Property Cleanup (Continued)**
 - Many of the properties have been cleaned up and the Mayor asked the Council to report any they see that need to be addressed. The Mayor has identified one additional property that will need to receive a notice.
 - b. **Projects Pending**
 - Scott has made attempts to get in touch with one of the contractors in Denver regarding the Bandshell seating repairs. Amanda will reach out to the contractor in Eureka.
 - Attorney Baxter has not yet heard back from KDOT regarding the last correspondence he sent to them. When more information is received Amanda will update Lila, who in turn will update the Council.
 - The Council reviewed the Electric Upgrade Policy. Attorney Reyelts suggested a change in the wording of one section. A motion was made by David and seconded by Amanda to approve the policy as amended. Motion passed.

- A motion was made by Amanda and seconded by David to approve an out of cycle payment to Commercial Sign in the amount of \$2,386.50 as a 60% deposit payment for the billboard signs. Motion passed.
- The Council discussed inoperable and abandoned vehicles. Scott and Dan have identified numerous properties that are in violation. A notice of violation letter was reviewed. A motion was made by Amanda and seconded by Larry to approve the letter that will be sent. Motion passed.

c. Streets Project – no updates

9. Visitors – none

10. Building Permits – A motion was made by Kale and seconded by David to approve the following building permits: Arleth Flores – 104 W. Whittier, 24x24 wood garage; Arleth Flores – 104 W. Whittier, concrete driveway. Motion passed. Mark Mills would like to install an archway and gate along a fence at his property at 104 E. Whittier. Dan and Scott have both met with Mr. Mills and believe it should not be an issue. A picture was shared and reviewed. A motion was made by Kale and seconded by Amanda to approve the request pending receipt of a building permit. Motion passed.

11. Superintendent Report

- Dan shared pictures of a property on Fourth Street that the Council may want to consider for condemnation. Funds have been allocated in the budget for this type of property cleanup. Condemnations must be done by resolution. Lauren suggested before beginning condemnation proceedings the Council might consider sending a letter to the property owner to notify them that the property could be condemnable and give them the options of either cleaning it up, face the possibility of condemnation and fines, or they could deed the property to the City. The Council agreed. Amanda will provide Lauren with the PRC and she will then draft a letter. A second property on third street was discussed and will also receive a letter.
- A motion was made by Kale and seconded by Amanda to approve the purchase of four 25KVA pole-top transformers at a cost of \$5,408. Motion passed.
- Dan has contacted Atlas Automation regarding the water control system. It will be after the first of the year before it can be installed. A motion was made by David and seconded by Larry to approve the use of ARPA funds for the purchase of the water control system. Motion passed.
- The boiler at the power plant has been fixed again and the repairs should be covered under warranty.
- Water was over-pumped at the ball diamond. Dan has completed the paperwork for a temporary permit to divert water from another water right. A motion was made by Kale and seconded by Amanda to approve an out of cycle payment of \$200 for the permit. Motion passed.
- There was a power outage yesterday that affected a large portion of town. Before resetting the switch at the power plant all feeder lines needed to be visually checked which delayed restoring power. This is a safety precaution and is necessary and required.
- John, Justin, and Dan will be attending training in Norton November 15 and in Goodland November 29. John and Justin will attend another training in Colby on December 13. There is no cost, other than mileage and meals, and John and Justin will receive training that counts towards their water certifications.
- The City Crew will be cleaning up around the power plant.
- Dan requested 5 minutes of executive session for non-elected personnel for an applicant review
- A motion was made by Kale and seconded by Larry to accept and file the Superintendent report. Motion passed.

12. Attorney Report

- Lauren shared and discussed the Master Service Agreement from Attentive. This is the new cafeteria plan that the Council previously agreed could be offered to employees. She discussed several modifications that she recommended be made to the agreement. The Council agreed with her recommendations and also decided they would like the plan to align with the open enrollment period we have for our other plans, which is during February/March with a start date of April 1. Lauren will send the agreement with modifications to Lila who will then forward it on to Attentive

for their review and consideration. Lila will also reach out to the auditors for their input regarding the tax savings proposed with the plan.

- There is not a legal description for the area that is being rezoned. Amanda and Lauren have discussed this and decided that each property located in that area will be rezoned. The process will be time intensive but less costly than a survey. Once completed and reviewed by Amanda she will share a printout with the Council.
- Lauren recommended a new procedure when issuing property cleanup and inoperable/abandoned vehicle letters. She suggested that all of the letters be sent out on the same day each month. It would make tracking and processing them much easier. Lila indicated they will designate the fourth Wednesday of the month as the day these will be taken care of.
- A motion was made by Amanda and seconded by Kale to accept and file the Attorney report. Motion passed.

13. Clerk Report

- Lila is looking into changing the City's email accounts. With our current provider we are unable to add any new email addresses, and she is concerned that support from our current provider may not be available in the future. She has looked into a Google business account which would cost \$6 a month per user. Users can be added or removed as needed. Reach Solutions set up the Outlook email for the County, and this could be another option. Kale suggested also checking into Proton mail. Lila will continue to investigate.
- Lila shared a letter of support written for the Hospital Transportation Van. A motion was made by Kale and seconded by Larry for the mayor to sign the letter. Motion approved.
- A motion was made by Kale and seconded by Amanda to approve 40 hours of vacation carryover for Jen Blair. Motion passed.
- Leann attended the Regional Clerk meeting and training in Hays on October 21. She will be attending the Clerk training in Wichita in November.
- Christmas Day and New Year's day fall on Sunday this year. The Council approved the following Mondays as City holidays.
- Lila requested 15 minutes of executive session for non-elected personnel for a performance review.
- A motion was made by David and seconded by Kale to accept and file the Clerk report. Motion passed.

14. Council Comments: **David** – has purchased the property on the corner of Washington and College and hopes to have it demolished. He also relayed a citizen concern regarding the power outage. **Kale** – asked if business owners or individuals would be allowed to put up Christmas lights on the trees along Washington. The Council approved. **Amanda** – none **Larry** – Asked about the past bicycle incident and David and Kale indicated it had been taken care of.

15. Mayor Comments – thanked the crew for their work to get the power restored as quickly as they could. A note was received from the Historical Society thanking the City for installing the rock by the Ron Evans memorial. *Attorney Reyelts left the meeting.*

16. At 9:00, a motion was made by Larry and seconded by Kale for the Council, Mayor, Interim City Superintendent, City Clerk, and Assistant City Clerk to recess into executive session for the non-elected personnel exception for an applicant review, the open meeting to resume at 9:05. Motion passed. Council member Butler excused himself from the executive session. The open meeting resumed. No decisions were made. Council member Butler returned to the meeting.

17. At 9:05 a motion was made by Amanda and seconded by Larry for the Council, Mayor, and City Clerk to recess into executive session for the non-elected personnel exception for a performance review, the open meeting to resume at 9:20. Motion passed. The open meeting resumed. A motion was made by Amanda and seconded by Kale to go back into executive session for non-elected personnel for performance review, the open meeting to resume at 9:35. Motion passed. The open meeting resumed and no decisions were made.

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

City Clerk