

Regular Council Meeting  
November 14, 2022

1. **Council President Amanda Milne called the meeting to order at 7:00.** Present were Council members Kale Dankenbring, Dara Carmichael, and Larry Finley. Also present were Interim City Superintendent Dan Blair and City Clerk Lila Whitmore. Mayor Scott Schultz, Council member David Butler, and Attorney Reyelts were absent.
2. **Minutes** from the October 24 Council meeting were distributed and read. It was moved by Kale and seconded by Larry to approve the minutes as written. Motion passed.
3. **Consent Agenda** – It was moved by Larry and seconded by Kale 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 25<sup>th</sup> 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. A motion was made by Kale and seconded by Dara to approve the **Special Event Permit/Bandshell Rental Agreement** for the St. Francis Rec Commission for a community Christmas caroling event on December 18 and to waive the bandshell rental fee. Motion passed.
6. **Old Business:**
  - a. **Property Cleanup** – *Attorney Reyelts joined the meeting via phone.*
    - Hearing – Darrell Braden had requested a hearing before the Council to discuss the letter he had received regarding a violation of Section 8-303 of the City Code, Junked Motor Vehicles on Private Property. Mr. Braden stated that the letter referenced a motor home on the property. Mr. Braden explained that he had purchased the property on the tax sale and has been informed that he cannot remove the personal belongings of the previous owner who is deceased until a year has passed, which will be in February. He has already completed extensive cleanup of the property and the Council acknowledged that it has improved. After discussion the Council approved an extension of 6 months to give Mr. Braden additional time to resolve the issue. Attorney Reyelts will contact County Attorney Beims regarding a verbal cease and desist order Mr. Braden stated he had been given.
    - Hearing – Austin White had requested a hearing before the Council to discuss the letter he had received regarding a violation of Section 8-303 of the City Code, Junked Motor Vehicles on Private Property. Mr. White stated that the letter referenced three vehicles. The first is a Geo Metro. He brought proof that this vehicle is titled, registered/tagged, and insured. The second vehicle is a GMC pickup which he described as a project pickup. He hopes to move it into one of his garages at some point. It is titled and insured but not registered. The third vehicle is a derby car that he brought in two months ago to work on. Currently it is on a slab in the backyard but will be moved inside after it is complete. All three vehicles are at the back of his property and are not obstructing the alley. Cars are his hobby, and Mr. White asked if this was going to continue to be an issue with the City. There was considerable discussion. The Council agreed that they did not see any issues and decided no action was needed at this time and to dismiss the complaint.
    - *Attorney Reyelts left the meeting.*
7. **Visitors** – Bill Dungan addressed the Council. He first thanked Dan Blair for his assistance with responding quickly to an electrical issue he had at his home. He then asked the Council to consider allowing him to place flag poles in the circles where the trees used to be in front of the building he owns at 122 W. Washington. He would also like to put in a flag drop box on top of an existing cement bench between where the flags would be. He does not plan to do this until next summer. The Council did not make a decision at this time. Mr. Dungan also wanted the Council to know that many people

from St. Francis and the surrounding area are utilizing the medical equipment that the Lions Club loans out from that building.

**8. Old Business (continued):**

**a. Property Cleanup (continued)**

- Lila shared a public hearing request form that she had created which will make the process easier for residents who would like to request a hearing before the Council. Attorney Reyelts had previously reviewed the form and the Council approved it.
- The Council discussed the recent letters that were sent to 22 residents regarding abandoned and junked vehicles. These letters had been sent at the Mayor's direction following the previous Council meeting. However, the Council members all expressed concern that they had not had the opportunity to review the properties/pictures prior to the letters being sent and had not been involved in the process. Larry and Amanda also had concerns with the notification process and some of the letters being served by the Sheriff's department. Lila explained that the code states the order of violation is to be served on the owner by certified mail or by personal service. In the past property cleanup letters have been personally served if the owner resides within the city limits, and otherwise mailed, and that is how these letters were handled. The Council felt that letters being personally served is intimidating and that in the future letters should be mailed initially and only personally served if a second letter or a citation needs to be issued. The Council also discussed how a phone call or personal conversation before a letter is sent would go further in addressing issues and would be less harsh. Lila talked about portions of the code and how it relates to the process. She pointed out that it is the governing body who serves the order of violation. Larry stated that the City Superintendent should not be under the gun when it should be a Council decision. The Code states that the public officer can identify possible violations but will also inspect a premise if a complaint is received in writing and signed by two or more persons stating that a nuisance exists. Lila also pointed out the exceptions section 8-303 for abandoned vehicles states that the provisions identifying a motor vehicle nuisance do not apply to any person conducting a business in compliance with existing zoning regulations unless it rises to the level of a public nuisance. The Council agreed that we need to have a clear process in place. Lila thought that it might be possible to put a hold on the current letters to give the Council time to review them. Lauren was contacted for her input.
- *Attorney Reyelts rejoined the meeting via phone.* The Council asked Lauren if they would be able to review and reassess the properties that had previously received notices. Lauren stated that the notice period can be extended at the Council's discretion. The Council agreed that no action would be taken on any of the properties until they have had an opportunity to review the pictures and information.

**b. Projects Pending**

- Access Road and Crossovers. At 7:55, A motion was made by Larry and seconded by Kale for the Council, City Superintendent, City Clerk, and City Attorney to recess into **executive session** for 10 minutes for communications subject to attorney-client privilege, the open meeting to resume at 8:05. Motion passed. The open meeting resumed and no decisions were made. A motion was made by Kale and seconded by Larry for the City to assist KDOT with patching of potholes on the access road and crossovers. Motion passed. *Lauren left the meeting.*
- A bullet point for the noise ordinance was added to the City Code Recodification item on the projects pending list. Additional topics can be added as bullet points as reminders for when the recodification is done next year.

**c. Streets Project – no updates**

**9. Building Permits** – A motion was made by Larry and seconded by Kale to approve the following building permit: Mary Walz – 301 E. North, ramp and porch. Motion passed.

**10. Superintendent Report**

- Two bids were received for the mag meters for the new water control system: Downing Drilling - \$20,028; Sargent Drilling - \$17,465.01. A motion was made by Larry and seconded by Kale to approve the bid from Sargent Drilling and to use ARPA funds for the purchase. Motion passed.
- A motion was made by Kale and seconded by Dara to approve the purchase of materials for water department restock from Salina Supply at \$984.66. Motion passed.
- A motion was made by Dara and seconded by Kale to approve the purchase of water meter ERTs from Dutton-Lainson for \$3,177.12. Motion passed.
- Ward Electric is available in January to continue with work on the electric infrastructure upgrades. The Council agreed that the work should be done but will wait until January to encumber the funds for 2023.
- A motion was made by Larry and seconded by Kale to approve the purchase of tires for the Parks and Rec pickup from St. Francis Tire for \$779. Motion passed.
- Dan discussed the personnel policy relating to sick and vacation leave. Currently this leave must be taken in 1-hour increments. He recommended this be reduced to one-half hour increments and the Council agreed. Updated policies will be presented to the Council at the next meeting for approval.
- Dan requested that the purchasing policy be updated to require department head rather than Council approval for purchases up to \$1,500. Currently the maximum is \$500. The Council agreed but would also like to require that two bids be obtained for purchases between \$500 and \$1500. Lila will update the current policy for the Council to review at the next meeting.
- The flood plain maps are being updated and should be finalized in 3-4 years. The State is asking for a commitment from the City if we plan to move forward with the new maps when they become available. A motion was made by Dara and seconded by Kale to move forward with the updated flood plain maps. Motion passed.
- The State has declined to put up the “no parking” signs on the highway that were requested by Bud Erskin.
- We have some old 3 phase meter sockets that are outdated and the company went out of business. Connor Brogan needs one. The Council agreed that Dan could determine a fair price for them and offer them for purchase.
- Dan has not yet heard from Travis Jensen on what he needs for power for his building. The City has one pad mount that was purchased several years ago and has not been needed. The cost was around \$5900. It could be offered to Mr. Jensen to purchase if he is interested in it.
- Sharon Springs is looking for a switch gear for their power plant which is just like ours. It is obsolete and they have found that it could cost almost a million dollars to replace. Dan wanted the Council to be aware of the high cost for power plant equipment like that, just to keep in mind for the future.
- A motion was made by Kale and seconded by Larry to accept and file the Superintendent report. Motion passed.

**11. Attorney Report – none**

**12. Clerk Report**

- Lila received a bond timeline from Gilmore & Bell for the next bond issue. Bonds need to be in place before construction begins. She confirmed with Kevin Cowan that once the bond ordinance is approved and passed by the Council, which should take place on January 23, it will go into effect even without the Mayor’s signature at the next Council meeting on February 13. The bond closing should be around March 1<sup>st</sup>.
- Lila received an email from Abby Rose asking about having a bonfire on Washington Street following the Holiday Parade. She had let Abby know that a special event permit would need to be submitted and approved by the Council. However, Ms. Rose did not fill one out. Kale asked if there were any funds that the City could provide to pay for Christmas lights that the businesses could put up on the trees along Washington street. Lila indicated it would need to come out of the general fund and she would have to look at the budget to see where funds could be pulled from. It’s a little late to do anything this year. The Council briefly discussed it

and decided to pursue this next year and possibly look for grant funds then. The Council did agree that businesses could put lights up on the trees if they choose to.

- After discussion, a motion was made by Dara and seconded by Kale to approve a Christmas bonus of \$250 for full time employees and \$75 for the theater employees. Motion passed. A Christmas party for the employees will be on December 2.
- The Council discussed hiring a third employee for the office. Lila and Leann had talked about the best time to bring a new employee on and believe that a start date of the beginning of February would be best. Leann would like to stay on as Municipal Court Clerk. The position would be for a full time office assistant. Lila will advertise for the position.
- A motion was made by Kale and seconded by Dara to add Leann Lee as an authorized signer on all bank accounts along with the current authorized signers of Mayor Scott Schultz, Council President Amanda Milne, Council Member Dara Carmichael, City Clerk Lila Whitmore, and City Treasurer Jennifer Blair. Motion passed.
- Lila made contact with a person who works at the State Capital and was able to track down the commemorative CDBG check for the new grant. It was delivered to City Hall.
- Lila requested 5 minutes of executive session for non-elected personnel regarding the personnel policy as it relates to one employee.
- A motion was made by Kale and seconded by Dara to accept and file the Clerk report. Motion passed.

**13. Council Comments:** **Kale** – none **Dara** – Santa will be coming to town on December 5 and will be at the 202 on Washington building at 6:30. They will need cones to block off part of the street. **Larry** – none

**14. Council President Comments** – Amanda and other master gardeners would like to contribute volunteer community service hours to landscape around the Veteran’s Memorial and dog park. After the first of the year they will bring a proposal to the Council.

**15. All bills on Ordinance #1068 were reviewed.** It was moved by Kale and seconded by Larry to approve the bills in the amount of \$186,910.11. Motion passed. *Dan Blair left the meeting.*

**16.** At 9:00, a motion was made by Kale and seconded by Larry for the Council and City Clerk to recess into **executive session** for the non-elected personnel exception to discuss the personnel policy as it relates to one employee, the open meeting to resume at 9:05. Motion passed. The open meeting resumed. A motion was made by Kale and seconded by Larry for Lila Whitmore to remain on the City’s health insurance policy upon her retirement and until she turns 65, paying all premium costs thereof, per the City’s Personnel Policy and Kansas Statute. Motion passed.

**17. Adjournment:** It was moved by Dara and seconded by Larry to adjourn the meeting. Motion passed.

---

City Clerk