

Regular Council Meeting
April 8, 2024

1. **Mayor Amanda Milne called the meeting to order at 7:00 pm.** Present were Council members Kale Dankenbring, Larry Finley, Justin Lohr, Dara Carmichael, and Robert Erskin. Also present were City Superintendent Dan Blair and City Clerk Leann Lee. City Attorney Lauren Reyelts was absent at the start of the meeting.
2. **Visitors/Audience:** Kelly Frewen, Roxie Neitzel, and Keith Lilley
3. **Minutes** from the March 25th Council meeting were distributed and read. A motion was made by Kale and seconded by Justin to approve the minutes with a minor correction. Motion passed.
4. A motion was made by Larry and seconded by Kale to approve the following **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.
5. **Sheriff Report** – None
6. **New Business:**
 - Kelly Frewen and Roxie Neitzel were present and before the Council to go over the 2024-2025 insurance policy from EMC. Kelly briefly explained the different insurance coverage items to the Council. The City has a \$5,000.00 insurance deductible except for wind and hailstorm damage which is a \$20,000.00 deductible. The City could buy down their deductible for wind and hailstorm coverages by paying an additional \$10,000.00 premium. The Council has chosen not to participate in the buy down option. After the review of the insurance policy packet, Justin inquired if the roofs of the buildings were covered, and it was explained that they are, and that the deductible would be based on what caused the damage. The Council thanked Kelly and Roxie for their time.
 - ❖ Kelly left the meeting.
 - Amanda informed the Council that she had met with Tab O'Dell and Fernando Montelongo regarding the on-going noise complaint issue for St. Francis Supers. During the meeting it was confirmed that the grocery store had completed the proposed enclosures per the August 14th, 2023, Council meeting. Reading of the decibel levels was inquired and Amanda will ask Sheriff Beeson if they have a decibel meter. The Council feels this is a civil matter and the possibility of doing a few comparison decibel readings around town was discussed. St. Francis Supers is looking to further expand and is not looking to place their funds into an area that may change during their expansion. Amanda spoke with the City Attorney regarding the noise ordinance which exempts businesses if necessary to protect their assets and the health of others. The Council made no decisions on the matter.
 - ❖ Roxie left the meeting.
 - The Council reviewed building permits for 522 E. Third for concrete, 416 S. Quincy for a fence, 420 E. Washington for a deck, and 518 S. Adams for a doorway landing. A motion was made by Kale and seconded by Justin to approve the building permits. Motion passed.
 - The Council reviewed a chicken permit renewal for 314 S. College. A motion was made by Kale and seconded by Larry to approve the chicken permit. Motion passed.
 - The Council reviewed the special event application for the Parkinson's Walk-A-Thon. The event is not requesting to rent the Bandshell but to walk around the park. A motion was made by Kale and seconded by Justin to approve the special events application. Motion passed.
 - The Council was presented with an agreement for the SEED Grant that Tri-Angle Park was awarded. Leann informed the Council that the City Attorney has reviewed the agreement and only found one issue to be clarified and corrected prior to signing. The Council approved the City Clerk to sign the agreement after the correction was made.

- A motion was made by Kale and seconded by Justin to adopt Resolution 2024-2: A RESOLUTION OF THE CITY OF ST. FRANCIS, KANSAS APPROVING A TEMPORARY PERMIT ALLOWING FOR THE CONSUMPTION OF ALCOHOLIC LIQUOR ON CITY STREETS. Motion passed.

7. Old Business:

- Keith Lilley was present before the Council to discuss his request to have a shipping container on his property that is South of the highway. Keith would like to use the container for storage and may turn the container into a tiny home later. The City Code states that shipping containers are not allowed within City limits for storage; however, it does not reject the use of them as an inhabitable residence. There was discussion on building codes and requirements for establishing a tiny home. The Council discussed Keith's idea of using a shipping container as a tiny home and have requested plans for the design and a time frame of the project before they decide. The Council discussed checking the uniform building code for any conflicts of interest or regulations. Keith will start gathering the requested design plans. Keith inquired from Dan about the utilities at the property and will need to install water and sewer taps.
 - ❖ Keith Lilley left the meeting.
 - Bryan Raile, not present, had previously requested Council approval to keep ducks within City limits. Leann informed the Council of the response she obtained from the clerk link. The Council has decided to deny this request and to maintain the current ordinance as-is.
 - The Council has been given information to review at the March 25th meeting regarding advertising in the High Plains Magazine. The Council discussed the publications the City currently utilizes and the range of publicity that the magazine gets. The Council has decided not to advertise in the magazine this year but would like to a copy of the magazine and have the publication be addressed during budget time.
- a. **Property Cleanup** – None
- b. **Projects Pending** –
- During the KRWA Conference, Dan spoke with some individuals regarding the water rates. He has obtained the paperwork for a representative from KRWA to complete a water rate report assessment for the City at no cost. The Council approved submitting the forms.
- c. **Streets Project** –
- Leann presented a document from Corina Cox with Northwest Kansas Planning and Development Center. Leann informed the Council that the document is necessary as part of the close out documents for audit information and requires the Mayor's signature but that no motion needed to be passed. The Council approved signing of the document without motion.
 - The Council discussed the streets for potholes, chip sealing, and prioritizing the next streets to be repaired. Dan has spoken to the County to utilize their equipment for chip sealing. The Council discussed if the prioritizing of the streets, having an engineering company possibly giving a priority list, and has requested a map to make notes on their individual opinions. Dan informed the Council that chip sealing will be approximately \$90,000.00. The issue of the cracks on the newer streets was brought up. The Council has directed Dan and Leann to check the previous street projects to see if a street survey was done and if Miller & Associates is able to create a priority list. Amanda will reach out to Teddy Weber to see if he is able to consult on the current street conditions. It was suggested to possibly hire a company to analyze our streets and possibly fill the current potholes.
 - The pending intersections that have been previously quoted from St. Francis Redi Mix will also need to be revisited.
 - The Council discussed further the chip sealing, potholes, streets they have personally noted, and the course of action for this year.
 - The City manpower was addressed and suggested to possibly raise the wages to have more individuals be interested in applying. The current employees would need to be adjusted if this were to happen and Dan informed the Council that this is the normal time of year to assess employees for raises.

8. Pool Report – Larry has requested a 1-minute executive session for employee personnel.

9. Fire Chief – Dan requested a 2-minute executive session for application review.

10. Superintendent Report –

- The Cheyenne County Fair Board has contacted Dan regarding additional power to the beef barn. The Fair Board would like to install a new transformer on the West side of the building and will have an electrician do the interior electrical. Dan received a quote for the transformer of \$1,719.62 without tax and no labor to install. A motion was made by Justin and seconded by Kale to charge the Fair Board half of the price of the transformer. Motion passed.
- Dan had to purchase some LED streetlights that were \$1,960.00 plus tax and has asked the Council for a motion. A motion was made by Kale and seconded by Dara to approve the purchase. Motion passed.
- The trash truck needs new front tires and was quoted at \$1,420.00 but maybe more. A motion was made by Justin and seconded by Dara to approve the new front tires not to exceed \$2,000.00. Motion passed.
- Ward Electric has been contacted and has been requested to start this year's electrical infrastructure updates. They have a lead time of 4-6 weeks before they will be in town. There was only 1 electrical outage during the recent windstorm. The City is 3 poles short for the remaining work; however, Ward Electric can bring the 3 poles with them at a rate of approximately \$1,000.00 per pole.
- The oil patch cost has increased, and Dan has estimated it will be around \$4,500.00 for a truck load. A motion was made by Kale and seconded by Larry to order a truck load. Motion passed.
- The chip sealing will cost between \$80,000.00 to \$90,000.00 for the oil and rock. It is estimated that the City will need 470 tons of rock that was quoted at \$29.816.80. There was a brief discussion of who would spread the rock and oil. The rock would arrive in May if ordered. A motion was made by Kale and seconded by Justin to order the rock for \$29,816.80. Motion passed.
- The crack seal is \$5,000.00 per pallet installed. A motion was made by Dara and seconded by Justin to purchase a pallet for \$5,000.00. Motion passed.
- Dan informed the Council that he received a quote for the INA alert cameras that he had previously spoken to them about for the Roadside Park. The quote was considered high compared to our current rate with Nex-Tech but would cover both Roadside Park restrooms and the Recycle Center. The quote and breakdown were not shared with the Council but are available if they wish to review later.
- Dan requested a 3-minute executive session for application review for the city crew. A motion was made by Justin and seconded by Larry to accept and file the Superintendent report. Motion passed.

11. Attorney Report –

- The City property that was purchased by Travis Jensen has reached its 1-year anniversary and no work has commenced. Per the quit claim deed, Travis had 1-year to start building and an additional year to complete the project or the ownership of the property would revert to the City. Lauren offered to draft a quit claim deed and letter regarding the breach of terms. The Council directed Lauren to write a courtesy letter to Travis to have him contact City Hall to be placed on a Council agenda to give an update on his project.
- Lauren clarified some confusion regarding the dog at large ordinance. A citation was not issued for an incident that happened in early March due to the dogs being picked up by a citizen and not a City authorized personnel. The citation would still be issued; however, the fees to the vet would not go through the City. Lauren spoke with Sheriff Beeson, and they were going to be issuing the citation, but the City still has not received one.
- Lauren shared the semi-truck ordinance document that she had worked on to show the changes that she made. Lauren sent an email to Leann with a list of the responses she received from the other cities so that the Council may review those as well but it was not able to be uploaded to share for the Council.

- Lauren requested a 15-minutes executive session for communication subject to attorney-client privilege advise of legal counsel.
A motion was made by Justin and seconded by Dara to accept and file the Attorney report. Motion passed.

12. Clerk Report –

- Leann shared the Theater Board minutes. The Theater Board is looking to save \$25.00 on shipping costs per movie by going to a digital download instead of the physical copy. They are hoping to have this take effect in July.
- Leann shared the Third Friday Memo from Options.
- Leann shared the upcoming budget workshop schedule with the Council. The clerk normally attends the workshop in Colby; however, Leann has asked to attend the webinar workshop on May 14th or 15th. The Council has approved attending via the webinar.
- Abbi Rankin, with Senator Marshall's office, contacted City Hall. She will be in town Tuesday, April 9th around 2:15pm to meet with anyone to go over the needs of the City and if the Senator's office may assist in anyway. Amanda has requested Leann to inquire about any funding opportunities that could be utilized for the Roadside Park.
- A CD for \$25,000.00 matured as of March 30th. It was an 18-month single maturity. Leann contacted Carla Lampe at FNB Bank for the newest CD rates which are 6-months and 1-year at 4.95%, and 18-months at 4.84%. A motion was made by Larry and seconded by Kale to renew the CD for a 1-year term. Motion passed.
- Leann informed the Council that the Cheyenne Theater has had 2 employees turn in their notices. The theater has tried placing an ad in the newspaper, but they were having technical issues of the emails not going through. A 3rd employee has also given notice that they will be leaving after the end of the school year. The theater will also be closed the Saturday of Prom.
- Leann requested an executive session for 2 minutes for non-elected personnel for employee status.
A motion was made by Justin and seconded by Kale to accept and file the Clerk's report. Motion passed.

13. Council Comments:

Robert – None

Kale – Requested an executive session for 2 minutes for elected personnel but was informed that it could not be granted.

Larry - None

Dara – TAP had a meeting and would like to know how the City wanted to handle the spraying of chemicals. TAP received quotes from Mike Hanson for the chemicals and to spray. They also discussed turning on the water for the sprinklers and redoing the sprinkler lines. Scott Schultz recently joined the group and will contact Dan about the sprinklers. Dan informed the Council that Mike Meyer had already ordered the chemicals for the parks, including TAP.

Justin – None

14. Mayor Comments: Amanda addressed the previous conversation pertaining to other cities and counties issuing resolutions or proclamations regarding migrant workers. Amanda does not feel Cheyenne County is looking into the issue but would like to have the City check into it. Amanda will get the information that the other counties have done and get it to Lauren.

15. Executive Sessions:

- A motion was made by Justin and seconded by Larry to recess into executive session for 15-minutes for attorney-client privilege with everyone in the room, to resume at 9:15pm. Motion passed.
The open meeting resumed at 9:15pm and no decisions were made.
❖ Lauren left the meeting.

- A motion was made by Justin and seconded by Kale to recess into executive session for 1-minute for the Fire Department for non-elected employee application review with everyone in the room to resume at 9:18pm. Motion passed.
The open meeting resumed at 9:18pm and no decisions were made.
A motion was made by Kale and seconded by Justin to approve Victor Martinez to join the fire department. Motion passed.
 - A motion was made by Justin and seconded by Kale to recess into executive session for 4-minutes for the City Superintendent for non-elected employee application review with everyone in the room, to resume the open meeting at 9:23pm. Motion passed.
The open meeting resumed at 9:23pm and no decisions were made.
Dan may offer the candidate the employment opportunity. The Council will motion to hire the individual if they accept.
 - A motion was made by Justin and seconded by Kale to recess into executive session for 1-minute for wage review with everyone in the room, to resume the open meeting at 9:26pm. Motion passed.
The open meeting resumed at 9:26pm and no decisions were made.
 - A motion was made by Justin and seconded by Kale to recess into executive session for 1-minute for the Pool Board for non-elected employee hiring with everyone in the room, to resume the open meeting at 9:28pm. Motion passed.
The open meeting resumed at 9:28pm with no decisions made.
- 16. All bills on Ordinance #1085** were reviewed. A motion was made by Robert and seconded by Larry to approve paying of the bills on Ordinance #1085. Motion passed.
Leann requested a motion to approve the City Attorney bill from Ordinance #1084 that was held for clarification. A motion was made by Kale and seconded by Justin to approve the City Attorney's bill. Motion passed.
- Leann reminded Amanda of an item for Clay Zimbelman's RV Park. Clay has agreements with some individuals to leave their RV's as being in storage while they are not in town, but the individuals are not present more than the 30 days allowed per the City Code. The Council has requested Clay to come to a Council meeting to request an exemption on a case-by-case basis. Leann informed the Council of how this situation was previously viewed and addressed.
 - Leann informed the Council that there is a mobile home park owner that has not paid their annual license in 2 years. Leann has sent letters of notice, reminders, and a courtesy letter with a total. Amanda will get with Leann to address this issue.
 - Kale informed the Council that Bruce Timmons has been offered a place to park his semi-truck.
- 17. Adjournment:** It was moved by Larry and seconded by Robert to adjourn the meeting. Motion passed.

City Clerk