

Regular Council Meeting
May 13, 2024

1. **Mayor Amanda Milne called the regular Council meeting to order at 7:06 pm.** Present were Council members Kale Dankenbring, Larry Finley, Justin Lohr, Dara Carmichael, and Robert Erskin. Also present were City Superintendent Dan Blair, City Clerk Leann Lee, and City Attorney Lauren Reyelts. Sheriff Cody Beeson was physically absent but available via telephone.
2. **Visitors/Audience:** Jessica Lee, Robert Grace, Larry Barnes, John Guthmiller, Wade Krien, Bill Dungan, and Patrick Cress.
3. **Minutes** from the April 22nd Council meeting were distributed and read. A motion was made by Kale and seconded by Justin to approve the minutes. Motion passed.
4. A motion was made by Kale and seconded by Larry 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.
5. **New Business:**
 - Members of the Cheyenne Theater Board and the Cheyenne Theater Manager were present before the Council to introduce themselves to the newest Council members. The theater manager, Jessica Lee, along with the Theater Board's President, Robert Grace, requested permission to increase the starting wage for the theater from \$7.25 per hour to \$8.50 per hour to help the theater receive applicants. The theater is currently understaffed with only 4 employees. Robert informed the Council of the minimum wage in the surrounding area. Jessica and Robert informed the Council of their procedures with scheduling and that the employee hours are movie based. The Theater Board inquired if the City has a contingency plan if the theater does not receive applicants. The Theater Board also informed the Council that they have recommended employee raises that they have approved for the Council's approval. The Council will review the starting wage request and the recommended raises.
 - ❖ Jessica Lee, Robert Grace, and Patrick Cress left the meeting.
 - John Guthmiller was present before the Council to discuss his offer to purchase a piece of property from the City. The City accepted his offer of \$1,000.00 to purchase land South of Highway 36 near the airport contingent on Mr. Guthmiller having the land surveyed. Mr. Guthmiller has contacted the survey company but has not completed the survey. Mr. Guthmiller has informed the Council that if the survey remains a requirement, he will withdrawal his offer. Wade Krien was also present to speak on the matter with Mr. Guthmiller. Lauren informed all parties that the survey is required for the legal description for the quit claim deed.
 - ❖ John Guthmiller and Wade Krien left the meeting.
 - Bill Dungan was present before the Council regarding a long-standing parking issue with Lampe Motorsports. Bill informed the Council that the abundance of vehicles parked on the streets has been creating traffic hazards, blocking other property owners' buildings, and diminishes the available parking for other businesses. Mr. Dungan has filed a complaint with the Sheriff's Office. The Council has previously warned Lampe Motorsports about the parking issue and will look into the final warning that was sent.
 - ❖ Bill Dungan left the meeting.
 - Larry Barnes was present before the Council regarding an electrical pole that is behind his residence at 406 E. Jackson. The City Superintendent confirmed that the pole is an electrical pole that does not belong to the City but to the owner of the residence. Mr. Barnes was informed that he may remove the pole at his discretion. Dan recommended that Mr. Barnes contact an electrician to safe off any electrical before the removal of the pole. The City can remove the pole for a fee and Dan will work up an estimate for him.

- ❖ Larry Barnes left the meeting.
 - The Council reviewed building permits for 123 E. Jackson for concrete; 512 S. Frances for a concrete retaining wall; 117 E. Jackson for concrete; and 415 E. Emerson for concrete work. The Council was informed of one issue regarding the concrete work crossing the property line at 415 E. Emerson. The neighboring property owner signed off on the permit allowing the encroachment. A motion was made by Justin and seconded by Larry to approve the building permits. Motion passed.
 - The Council reviewed a new chicken permit application for 301 E. North. The City Superintendent informed the Council that the chicken coop was built close to the property line. The neighbor signed the back of the permit for their authorization of the placement. A motion was made by Kale and seconded by Justin to approve the chicken permit. Motion passed.
- 6. Old Business:**
- a. **Previous Meeting Items:** Leann provided the Council with additional financial reports provided by the County Clerk for the EMS Building fund.
- 7. Sheriff Report –** Sheriff Beeson called into the Council meeting. The Sheriff's Department has hired another deputy and now are fully staffed again. Cody also informed the Council that he has clarified with Amanda and the City Attorney the decision regarding the semi-truck parking issue. He will clearly communicate the information to Mr. Timmons within the next week. The Council informed Cody of the complaints by Mr. Dungan regarding Lampe Motorsports. There was discussion on the separate code violation issues and how it will be approached. Cody will research the state statute for junk yards and the municipal code for the property cleanup and will meet with Amanda on Wednesday to discuss further. Cody informed the Council that two employees will be receiving training on their computer system to provide report printouts for the Council.
- 8. Old Business (Cont.):**
- a. **Previous Meeting Items (Cont.):** A motion was made by Justin and seconded by Kale to send the updated EMS Building contract to the County Commissioner's for review at their next meeting. Motion passed.
 - b. **Property Cleanup –**
 - Dan has not reviewed any properties for cleanup issues; however, mowing letters will be going out soon.
 - b. **Projects Pending –**
 - Justin went around with the maps that were shared with the Council at the previous meeting. He went over his findings while going around town. The Council discussed planning, availability of doing any street work this year, getting estimates, and funding possibilities. Justin has requested bigger maps if available. Dan will follow up with Brock McAtee and Casey Pace to obtain approximate costs to budget the work.
 - c. **Streets Project –**
 - No update
- 9. Pool Report –**
- Lifeguard training has been scheduled for May 18th, 22nd, and 23rd to complete the courses.
 - Jesslynn Houtman will not be returning as a lifeguard.
 - Opening day is May 28th and will have the same schedule for admission as last year.
 - The swim team is still looking for a director.
 - There is an electrical issue that needs to be repaired on the pump for the slide.
 - The sound system at the pool stopped working and a new system was ordered.
 - Dan spoke with Baker Painting regarding repainting the pool. To repaint the entire pool is estimated between \$90,000.00 - \$100,000.00. They also gave an estimate between \$50,000.00 and \$70,000.00 to repaint as previously done.

- The Council previously approved the ordering of the chemicals for the pool. The company shipped an extra barrel of chemical costing \$130.95 and increasing the total to \$6,181.95. A motion was made by Kale and seconded by Justin to approve the \$6,181.95. Motion passed.
A motion was made by Dara and seconded by Kale to accept and file the pool report. Motion passed.

10. Fire Chief –

- Dan presented the Council with an application for a new firefighter. A motion was made by Dara and seconded by Larry to approve the applicant. Motion passed.
- Dan presented a quote for new air bags for the fire department to replace a damaged unit during the last accident call. The County has approved covering up to \$3,000.00 of the cost for the replacement and Dan has requested the City to approve up to \$3,000.00. A motion was made by Kale and seconded by Justin to approve covering up to \$3,000.00 for new air bags. Motion passed.

11. Superintendent Report –

- Dan presented the Council with a proposal from B&H Paving for \$60,000.00 to chip seal the streets that were part of the 2020 street project. The company would utilize their own equipment and the City would supply the rock. A motion was made by Kale and Justin to approve the proposal for \$60,000.00 from B&H Paving and to pay it from the Infrastructure Improvement fund. Motion passed.
- The Council would like B&H Paving to give estimates for other possible street work items after completion of the chip seal proposal.
- Dan presented the Council with a quote for an automatic switchover gas chlorinator for \$3,285.60. A motion was made by Justin and seconded by Kale to approve the purchase of the switchover gas chlorinator for \$3,285.60. Motion passed.
- Dan informed the Council that the Kansas Wildlife Fish and Game program budget has been cut and the City will not receive any more funds for Keller Pond through the program.
- The Council clarified that the air bags for the fire department were to be purchased out of the Equipment Reserve Fund; the chip sealing is to be paid out of the Infrastructure Improvement Fund; and the switchover gas chlorinator is to be paid out of the ARPA Funds.
- There was a brief discussion regarding the City hiring summer help employees and the patching of potholes.
- The crew will be fixing the concrete from the water leak on College once they are done with getting the pool ready.
A motion was made by Larry and seconded by Justin to accept and file the Superintendent report. Motion passed.

12. Attorney Report –

- Lauren informed the Council that she was almost complete with the recodification review. She will be sending the ordinances that had changes made to them to the Council prior to the next meeting.
- Municipal Court for May 14th has been cancelled as there have not been any citations issued since October 2023 for Municipal Court.
A motion was made by Kale and seconded by Robert to accept and file the City Attorney report. Motion passed.

13. Clerk Report –

- Leann informed the Council that the City has 2 CD's that will mature on May 17th. FNB Bank has given a renewal interest rate for a 12-month CD at 4.94%. The CD's currently have a 4.68% interest rate. The Council discussed utilizing these funds towards the streets. A motion was made by Kale and seconded by Dara to renew the CD's with a 6-month maturity contingent on having a matching 4.94% interest rate. Motion passed.
- Leann shared the renewal invoice for the CIC Software that is part of the monthly warrant registry.

- Leann presented the Council with the 2025 budget assistance proposal from AdamsBrown in the amount of \$1,760.00. A motion was made by Larry and seconded by Dara to approve the acceptance and signing of the AdamsBrown proposal for \$1,760.00. Motion passed.
 - Leann requested permission from the Council to pay the Municipal Court invoice to the State for \$23.50, the Compensating Use Tax, and the Sales Tax for the City's electrical department out of cycle. A motion was made by Kale and seconded by Dara to pay the invoices out of cycle. Motion passed.
 - Leann informed the Council that the Bandshell rental fee was requested to be waived for the Concert in the Park – Janelle Irwin; however, it was missed while motioning to approve. A motion was made by Kale and seconded by Dara to approve the waiving of the Bandshell rental fee for the Concert in the Park – Janelle Irwin. Motion passed.
 - Leann informed the Council that City Hall has almost completed the gathering of the documents for the annual audit. The audit is scheduled for May 20th through May 24th.
 - Leann requested a motion from the Council to confirm the wage increases the Council had approved at the April 23rd meeting. A motion was made by Larry and seconded by Justin to approve the recommended and discussed wages. Motion passed.
- A motion was made by Kale and seconded by Dara to accept and file the Clerk's report. Motion passed.

14. Council Comments:

Robert – None

Kale – Inquired about changing the residency requirements for running for a Council seat. Amanda believes it is a state statute and not something the City may change.

Larry – Adam Smith informed Larry that there may be additional funding options available to the City for the access roads but was not able to give details on the options. Also reminded the Council that the Concert in the Park will be held Saturday night, May 25th.

Dara – Clarification that the next normal Council meeting day is Memorial Day. The Council meeting will be held on Tuesday, May 28th.

Justin – Justin inquired if there was any update on the migrant worker issue. Lauren was not updated regarding the issue and will research it.

- Lauren requested confirmation if the Council wanted her to research the residency requirements for Council members. Amanda will confirm with the County Clerk on the issue and follow up with Lauren afterwards.
- Lauren informed the Council that the property John Guthmiller has made an offer for has 18 sides and not 4 as is pictured. This has resulted from multiple random splitting of the property without surveying being performed as well as the airport not having been surveyed.
- Amanda informed the Council that she has a list of multiple surveyors that Mr. Guthmiller could contact other than the individual he has tried to reach. The Council discussed the surveying issue, the selling of City property, and the City's use of funds to possibly survey the property.
- The Council inquired about the Theater Board's recommendations for wages. Leann informed the Council that the Theater Board only verbally informed her of the wages an hour before the Council meeting. The Council will review the figures at the next meeting.

Justin (cont.) – Inquired if the City has any code against foreign ownership of property within city limits. Leann was requested to contact other cities to see if they may have an ordinance.

15. Mayor Comments: Amanda informed the Council of a dog that has been at the vet clinic for 7 days. The City's code states that if the vet clinic may place the dog up for adoption and the adoptee is to pay all vet fees for board and services after 7 days. The Council agreed that the adoptee is to pay the fees and that it is up to the vet who adopts the dog.

16. Executive Sessions: None

17. All bills on **Ordinance #1086** were reviewed. Larry informed the Council of a check made to the City Treasurer, Jennifer Blair, for \$100.00. The money is to be used for the pool cash drawer,

\$50.00 for the concessions and \$50.00 for admission and will be held in the City Hall's safe during the off season. A motion was made by Kale and seconded by Dara to approve paying of the bills on Ordinance #1086. Motion passed.

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

City Clerk