

The Oakley City Council met in regular session on February 4, 2019, in the meeting room at the Oakley Fire Station, 215 Hudson Avenue at 7:00 PM. Mayor Timothy Whyte presided.

Council members present. Jordan Burris, Chris Dorman, Leasa Huddle and Ilene Nickel. Shane Stephenson was absent.

City staff present. City Administrator Bradley Pendergast, City Clerk Leann Hughes, Police Chief Daniel Cooper, Museum Director Jodee Reed and Sanitation Director Marc Burris.

Others present. Bea Albers and Laurie Millensifer.

Call to order. Mayor Whyte called the meeting to order.

Minutes. Huddle moved to approve the minutes of the January 22, 2019, regular meeting as presented. Dorman seconded. Motion carried unanimously. Action (#10965).

AP Payment Registers. Burris moved to approve the February 1, 2019, AP Payment for 2018 invoices in the amount of \$9.77 (Check No. 44934). Huddle seconded. Motion carried unanimously. Action (#10966).

Burris moved to approve the February 1, 2019, AP Payment for 2019 invoices in the amount of \$195,440.61 (Check Nos. 44895-44898; 44903-44933; and 1232019), with the notation that the payment to Oakley Housing Authority for the donation to the Westview Rec Center will be discussed as an agenda item during the meeting. Nickel seconded. Motion carried unanimously. Action (#10967).

Time Entry Report. Dorman moved to approve the Time Entry Report for January 13, 2019 to January 26, 2019 for 2,063.50 hours (ACH Nos. 93664-93689; Check Nos. 17140-17141; Check Nos. 44899-44902; Wire Nos. 422-425). Huddle seconded. Motion carried unanimously. Action (#10968).

Citizen Request to Speak. Bea Albers addressed the Council concerning the stop sign on Freeman Avenue at Third Street. She asked why it was necessary to have one in this location, explaining she thought it was unnecessary and noting she feels it wastes fuel for school buses to have to stop here. Discussion followed. It was the consensus of the Council to have Pendergast research this and get back with her.

Department Head Reports. Museum Director Reed reported they had approximately 836 children for the Kansas Day Event and they had 1140 visitors during the month of January. She also gave an update on The Wall that Heals.

Laurie Millensifer delivered an update of activities from the Buffalo Bill Cultural Center/Wild West Historical Foundation. She reported on number of visitors, marketing initiatives, projects and the website.

Donation – Westview Rec Center and Oakley Housing Authority – Payment in Lieu of Taxes. Pendergast explained that the Oakley Housing Authority asks the Council to donate funds towards the upkeep of the Westview Rec Center every year, as noted in their letter in the packet; and they request a waiver of the Payment in Lieu of Taxes to allow them to put more capital funds towards improvement projects. Council Member Burris inquired why they find a need to charge \$5.00 for the use of the center with a \$4,000.00 donation. Discussion followed. It was the consensus of the Council to have Pendergast contact the Housing Authority for more

information regarding both requests before taking action. The check in the AP Payment Register for the donation will be held until a decision is made at a later meeting.

Ordinance – Correcting Legal Description in Ordinance No. 1144. Pendergast reported that Karrie Park from the Logan County Appraiser's Office informed Clerk Hughes about an issue with the legal description in Ordinance No. 1144, annexing property to the City. The description did not close so the property could not be included within the city limits for taxation. This Ordinance corrects that description. Burris moved to approve Ordinance No. 1157, correcting the legal description of land annexed to the City of Oakley, Kansas. Dorman seconded. Motion carried unanimously. Action (#10969).

Trash Hopper Replacement. Pendergast reported the City has been budgeting to purchase plastic hoppers each year to replace metal hoppers but Director Burris has reported he does not see a need for them this year and proposed having those funds available for other improvements this year. Discussion followed. It was the consensus of the Council to forgo the purchase of plastic hoppers this year, as recommended.

Council Meeting Audio Recordings. Pendergast reported he contacted the League of Kansas Municipalities in regard to requirements associated with recording the audio of council meetings and requirements according to the Kansas Open Records Act. One of the requirements is to provide an area where citizens can listen to the audio so the City would have some costs for equipment and possibly to find an area suitable for this. Discussion followed. It was the consensus of the Council to table the matter to have Pendergast perform additional research on costs and full requirements before making a decision.

Donation – Youth Entrepreneurship Challenge. Pendergast reported he was contacted by Kim Munk with a request for a donation to the Youth Entrepreneurship Challenge program. He explained details about the event. Councilman Burris inquired if they could accept donations since it is a school sponsored activity; Pendergast believed it should be fine since they initiated the request. Dorman moved to approve a donation of \$100.00 to the Youth Entrepreneurship Challenge program. Burris seconded. Motion carried. Action (#10970). Burris, Dorman and Nickel voting yes; Huddle abstaining due to a conflict of interest since she is participating in the program.

Administrative Reports. Administrator Pendergast reported on several activities:

- All departments are busy with routine duties and KDHE approved the new cell at the landfill so the demolition at 427 Hudson can be scheduled.
- Police Department – Officers arrested 3 individuals and confiscated 2 semi-trucks for fuel thefts at Mitten's on January 27, 2019. The Police Department has been investigating the thefts since December and found this group is responsible for multiple thefts from December to January totaling over \$5,000.00. The Department served a search warrant along with the Logan County Sheriff's Department to arrest a fugitive at large wanted in Texas for multiple charges.
- The City Attorney will have a contract for the Recreation Board Mowing for consideration at the February 19, 2019, meeting.
- The refuse hopper for UpTown Liquor needs to stay where it is for access by the refuse truck and there does not appear to be any issues with the truck making the turn down the alley. This topic can be discussed further at the February 19, 2019, Council Meeting.
- Wilson & Co. will be at the February 19, 2019, Council Meeting to discuss alternative water treatment options.
- 107 E.S. 7th – Gerri Webber contacted Pendergast last week thinking they had 6 months to clean up or sell the property. Pendergast informed her the 6 months would have been for an individual who would have purchased the property before December 17, 2018. Webber stated they have a buyer for one of the mobile homes. Pendergast advised the City would leave that particular mobile home until last but if it isn't gone by the time everything else is taken care of,

the City will haul it off. Wilburt Howard had concerns of legal retaliation because Gerri Webber contacted him. The City Attorney drafted a contract to help mitigate Mr. Howard's liability if a lawsuit would happen. The permits to move the mobile homes are for a seven-day period instead of thirty-days so Pendergast is working with Howard to schedule each one.

-Property on 9th Street Bend – The Board of Zoning Appeals denied the Special Use Permit for Omar Espino. Espino has now asked if the City would still be open to rezoning the property to Commercial Service Highway contingent upon annexation. Following discussion, the Council was not in favor of rezoning at this time. There was also discussion of further action on the situation from the lawsuit. Pendergast will contact the City Attorney to discuss options.

-Mural – Strategic Doing Group. Kristen Dutton contacted Pendergast to request a check from the City for the down payment since they have received grant approval from the Hansen Foundation. However, they did not receive the amount they had hoped for so the project has been scaled down to 12'x50' with the project total being around \$21,000.00. Also, the location has moved to the North side of Heartland Foods Grocery Store. There was discussion of the amount of funds requested in correlation to the original project amount and discussion of the location. It was the consensus of the Council to have Pendergast discuss options with the City Attorney as far as possibly amending the motion and downsizing the amount of the donation with respect to project being downsized.

-Murphy Tractor – Pendergast received an invoice from Murphy Tractor for \$6,761.43 for repairs to the loader.

-The next Council Meeting will be Tuesday, February 19, 2019, due to the President's Day Holiday on Monday.

Clerk Hughes reported she received an email request from Julie Britton, a Certified Grant Proposal Writer from Atwood, for letters of support from the Mayor and Council for equipment at Logan County Hospital. Hughes read the proposed letters. The Council was in favor of having the Mayor sign and submit the letters.

Mayor and Council Reports. Council Member Dorman discussed the possibility of moving the radar sign on Front Street further to the East. He also reported he had been approached about the possibility of Children at Play signs on S. Smokyhill Avenue. Council Member Burris proposed lowering the speed limit in residential to possibly help with speeding issues. Discussion followed. No decisions were made.

Council Member Nickel inquired about the policy for postings on the Community Channel. She noted a recent posting for a birthday party and was not sure that is what the channel was designed for. Chief Cooper will check to see if there is a written policy. Nickel also inquired about the alley next to Uptown Liquor. Pendergast stated this can be placed on the agenda for discussion at the next meeting.

Council Member Dorman inquired about the final result of the sign for the Buffalo Bill Cultural Center. Pendergast reported they have added Fick Fossil Museum to the sign.

Council Member Huddle reported Sharon Springs received funding from the Dane Hansen Foundation for a tree contractor for tree removal and trimming. She thought this might be something for Oakley to check into.

Adjourn. Dorman moved to adjourn the meeting. Huddle seconded. Motion carried unanimously. Action (#10971). Mayor Whyte adjourned the meeting at approximately 8:43 PM.

Leann M. Hughes, CMC
City Clerk