

The Oakley City Council met in regular session on March 4, 2019, in the meeting room at the Oakley Fire Station, 215 Hudson Avenue at 7:00 PM. Council President Shane Stephenson presided.

Council members present. Jordan Burris, and Chris Dorman and Shane Stephenson; Mayor Whyte was present by cell phone. Ilene Nickel was absent. Leasa Huddle arrived after the meeting was called to order. (Corrected at April 1, 2019, regular meeting.)

City staff present. City Administrator Bradley Pendergast, City Clerk Leann Hughes, Police Chief Daniel Cooper, Museum Director Jodee Reed, and Cemetery Director Russell Moellering.

Others present. Larry Eberle, Curtis Larshus and Steve Allison.

Call to order. Council President Shane Stephenson presided over the meeting since Mayor Whyte was not present in person; Stephenson called the meeting to order.

Minutes. Burris moved to approve the minutes of the February 19, 2019, regular meeting as presented. Dorman seconded. Motion carried unanimously. Action (#10984)

AP Payment Registers. Burris moved to approve the March 4, 2019, AP Payment Register for 2018 invoices in the amount of \$59,713.44 (Check Nos. 45050-45052; VOID Nos. 45047-45049). Dorman seconded. Motion carried unanimously. Action (#10985). Dorman moved to approve the March 1, 2019, AP Payment Register for 2019 invoices in the amount of \$75,516.16 (Check Nos. 44998-45001; 45007-45046; and 2212019; VOID Nos. 45073-45084). Burris seconded. Motion carried unanimously. Action (#10986).

Time Entry Report. Dorman moved to approve the Time Entry Report for February 10, 2019 to February 23, 2019 for 2,000.91 hours (ACH Nos. 93722-93746; Check Nos. 17144-17145; Check Nos. 45002-45006; Wire Nos. 430-433). Burris seconded. Motion carried unanimously. Action (#10987).

Citizen Request to Speak. None.

Department Head Reports. Museum Director Jodee Reed reported she has submitted a grant application to the Logan County Community Foundation to assist with the Wall that Heals Display.

Rec Board – Summer Help/Mowing. Administrator Pendergast reviewed previous discussion on this matter and noted that Curtis Larshus and Steve Allison were present to answer questions on behalf of the Rec Board. Discussion followed. Dorman moved to approve entering into a contract with USD #274 Recreation Commission for \$7,700 for the City to provide mowing services for the ball diamonds from May 15, 2019 to August 15, 2019, and for a charge of \$15.00 per hour for mowing, if any, prior to May 15, 2019. Burris seconded. Motion carried unanimously. Action (#10988).

Change Alley on East Side of 100 Block of Center Avenue to One-Way. Administrator Pendergast noted this is a continuation of the discussion from the January 22, 2019, Council Meeting when Mike Chrisler of Uptown Liquor requested the alley be changed to a one-way. After considerable discussion, it was the consensus of the Council not to change the alley to a one-way at this time since there have not been any known safety issues.

Wall That Heals Committee – Larry Eberle and Jodee Reed. Larry Eberle and Museum Director Reed explained the Wall That Heals Display is going to require an electric connection for the display trailer that will power their computers, monitors, videos, etc. Eberle stated he is going to request that Midwest Energy donate the temporary meter and electric use as sponsorship for the project, but if they decline, he wanted the Council to be aware there could be some fees.

Executive Session for the Acquisition of Real Property. Burriss moved the City Council recess into executive session for preliminary discussions relating to the acquisition of real property pursuant to the exception provided in K.S.A. 75-4319(b)(6), for five minutes with the City Council, Administrator Pendergast and Mayor Whyte by cell phone present. Dorman seconded. Motion carried unanimously. The open meeting will resume in the Fire Station at 7:38 P.M. Action (#10989).

Council President Stephenson announced no action would be taken following the executive session.

Council Meeting Audio Recordings. Administrator Pendergast reported there has been no additional movement on HB2219 since the hearing on February 18, 2019. The Council discussed the potential requirements if this passes and alternative options for equipment if the bill does not pass and the Council were to proceed in recording sessions. After considerable discussion, it was the consensus of the Council to table this matter to monitor movement on HB2219 but to have Pendergast draft a record retention policy to include recording meetings so the Council can move forward once it is known whether this passes or not.

Code Enforcement. Administrator Pendergast noted when the contract for Code Enforcement was allowed to expire in December, 2018, it was decided to re-visit this before spring, 2019. Pendergast provided a copy of advertisements and documentation used for the previous contract. Discussion followed. It was the consensus of the Council to have Pendergast advertise for the position with the intent to hire someone by May 1, 2019.

Prosecutor's Charitable Trust Scholarship Committee Selection. Council President Stephenson yielded the Chair to Mayor Whyte. Mayor Whyte appointed Chris Dorman, Leann Hughes and Brad Pendergast to the 2019 Prosecutor's Charitable Trust Scholarship Committee. Stephenson moved to approve the Mayor's appointment of Chris Dorman, Leann Hughes and Brad Pendergast to the 2019 Prosecutor's Charitable Trust Scholarship Committee. Burriss seconded. Motion carried unanimously. Action (#10990).

Mayor Whyte yielded the Chair back to Council President Stephenson.

Executive Session for Attorney-Client Privilege. Dorman moved the City Council recess into executive session for consultation with the City Attorney for matters which are deemed privileged in the attorney-client relationship pursuant to the exception provided in K.S.A. 75-4319(b)(2), for ten minutes with the City Council, Administrator Pendergast, Mayor Whyte by cell phone, Police Chief Daniel Cooper and City Attorney Steve Hirsh by cell phone present. Burriss seconded. Motion carried unanimously. The open meeting will resume in the Fire Station at 8:12 P.M. Action (#10991).

Council Member Leasa Huddle arrived at approximately 8:08 P.M. and joined the executive session.

Council President Stephenson announced no action would be taken following the executive session.

Administrative Reports. Administrator Pendergast reported on several activities:

- City crews have been taking care of routine items, repairs, snow removal, pool maintenance, pre-emergent application, etc., in their respective departments.
- The Police Department has seized the semis and trailers. If the semis are claimed, the claimant will have to pay all costs, including storage and if they are sold, the price will be set so that the City will not lose any money.
- New Police Officer Courtland Osborne began duties today.
- Dude Solutions will present Asset Essentials on March 13, 2019, at 12:00 P.M.
- Administrator Pendergast and Utilities Director Huffman will travel to Oklahoma on March 14, 2019, to tour the Microvi pilot with Wilson and Company.
- Intersection of 3<sup>rd</sup> Street and Freeman Avenue – Citizen Bea Albers attended a prior Council Meeting inquiring about removing the stop sign at 3<sup>rd</sup> Street and Freeman Avenue. Pendergast recommended

the stop sign not be removed, noting this stop breaks-up travel flow to keep speeding under control. Mayor Whyte inquired if Pendergast would be contacting Ms. Albers about this decision; Pendergast confirmed he will contact her.

Mayor and Council Reports. Council Member Burris inquired about annexations into the City Limits. Administrator Pendergast stated he has been in contact with the City Attorney and they are developing a plan to contact property owners to encourage voluntary annexation to avoid legal action. Burris also inquired about sidewalks. Pendergast stated he has been in contact with some of the property owners in the City with damaged sidewalks and they have all acknowledged the sidewalks need to be replaced when the weather allows. He informed them of the sidewalk rebate program available to assist with the costs of replacement. Burris inquired about data from the radar signs and moving them. Chief Cooper noted he has downloaded data to his phone but they have not been able to retrieve it for reporting; they are working on this. Burris inquired about moving the signs. Pendergast stated they can be moved. Burris would like to see them moved.

Council President Stephenson and Council Member Huddle noted they would not be present at the March 18, 2019, meeting. If a quorum cannot be reached, the meeting may be moved to Tuesday, March 19, 2019. Pendergast will check with all members prior to March 18.

Adjourn. Dorman moved to adjourn the meeting. Huddle seconded. Motion carried unanimously. Action (#10992). Council President Stephenson adjourned the meeting at approximately 8:25 PM.

Leann M. Hughes, CMC  
City Clerk

#### APPROVAL OF MINUTES:

The members of the Council acknowledged a copy of the minutes; said minutes were approved as corrected at the regular meeting on April 1, 2019.