

The Oakley City Council met in regular session on May 4, 2020, via Zoom Video Conferencing, and streamed live at <https://www.facebook.com/discoveroakley/live> at 7:00 PM. Mayor Whyte presided.

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

City staff present. City Administrator Bradley Pendergast, City Clerk Leann Hughes, and Parks/Cemetery Director Russell Moellering.

Others present. Joseph "Chase" Stephenson.

Call to order. Mayor Whyte called the meeting to order at 7:01 PM.

Minutes Burris moved to approve the minutes of the April 20, 2020, regular meeting as presented. Nickel seconded. Motion carried unanimously. Action (#11299).

AP Payment Registers. Dorman moved to approve the April 30, 2020, AP Payment Register, dated May 1, 2020, in the amount of \$88,563.69 (Check Nos. 293; 295-296; 46493-46533). Nickel seconded. Motion carried unanimously. Action (#11300).

Time Entry Report. Stephenson moved to approve the Time Entry Report for April 5, 2020 to April 18, 2020, dated April 22, 2020, for the April 24, 2020, payroll, in the amount of \$38,801.82 for 1,866.14 hours (ACH Nos. 94851-94882; Check Nos. 17256-17257; AP Check Nos. 46487-46492; Wire Nos. 553-556). Huddle seconded. Motion carried unanimously. Action (#11301).

#### NEW DISCUSSION/ACTION ITEMS:

COVID-19 Update. Administrator Pendergast provided a COVID-19 update and reviewed the Ad Astra Reopening plan released by Governor Kelly. He also discussed summer staff and reported that he was contacted about a graduation parade on Saturday, May 9, 2020. The Council discussed that a parade is not actually allowed yet under the Governor's Reopening plan but a cruise would be ok. Discussion followed. Council Member Nickel voiced her opposition since guidelines were not followed the last time. It was the consensus of the Council that a cruise would be ok, but a parade would not be since it is not allowed yet under the Governor's Reopening plan.

Bids for Leasing 22.4 Acres of City Property. Administrator Pendergast reported Mr. Glassman contacted him following the last Council Meeting concerning the leasing of City Property that was discussed and approved at the meeting. Mr. Glassman conveyed he felt it would be best to put the land up for bid and stated his offer would stand at \$336 annually. Pendergast stated, after contacting the Council, he opened the property up for bids and he received two additional offers, as follows:

Mike Rains - \$500 per year – Haying land

Joseph "Chase" Stephenson - \$800 per year – Keep the land as a dirt track for ATVs/Dirt bikes

Council Member Stephenson asked that the minutes reflect that he is not related to Joseph "Chase" Stephenson, nor does he have any association with Mr. Stephenson. Joseph was available via phone and explained his plans to the Council, noting the first year would be spent re-doing the track. He stated he would insure it for trespassers right away, and he would add insurance for the public once it is opened. Discussion followed. Stephenson moved to rescind Action (#11296), made at the April 20, 2020, Council meeting, approving a lease to Jerry Glassman for 22.4 acres of land located north of Logan County Implement to graze cattle, at a cost of \$15.00 per acre, for one season from April to mid-October, 2020. Huddle seconded. Motion carried unanimously. Action (#11302). Burris moved to approve a lease with Joseph "Chase" Stephenson for 22.4 acres of City property at an annual cost

of \$800, renewable up to five (5) years, contingent upon proof of proper insurance. Nickel seconded. Motion carried unanimously. Action (#11303).

COVID- Utility Billing Policy. Administrator Pendergast noted the Council tabled the topic of utility billing and late fees at the April 6, 2020, meeting, to be revisited at this meeting. Pendergast reminded the Council the City cannot disconnect services for non-payment through the end of May. Clerk Hughes noted that it would not be feasible to go back and remove penalties already assessed because there are around 200 delinquent accounts each month and staff would have to remove the penalty on each individual account. Discussion followed. Burris moved to waive late penalties for the next two (2) billing cycles, for May 15, 2020, and June 15, 2020, due dates. Stephenson seconded. Motion carried unanimously. Action (#11304).

Well #9 Repair. Administrator Pendergast reported that Well #9 has been tripping breakers recently when the Country Club has been watering the golf course. Water/Wastewater Director, Rodney Huffman, contacted Woofter Pump and Well to look at the pump. They advised they will not know what the problem is until they lift the pump out of the Well. They quoted a worst case scenario if the motor on the well pump has to be replaced at a total cost of \$7,702.00. Pendergast noted that in the past it has been a minor issue such as a wire being pulled out, so the cost to fix the pump may be significantly less. Council Member Burris voiced his concern that if the cost is going to be over \$7,000.00, it probably should be bid out. Discussion followed. Dorman moved to approve having Woofter Pump and Well pull the pump out of Well #9 and to proceed with necessary repairs, not to exceed \$7,702.00. Huddle seconded. Motion failed. Dorman and Huddle voting yes; Burris Nickel and Stephenson voting no. (No Action). Stephenson moved to approve having Woofter Pump and Well pull and inspect the pump on Well #9 and to repair it if possible; however, if the motor needs to be replaced, that will be bid out. Nickel seconded. Motion carried unanimously. Action (#11305).

Executive Session for Non-Elected Personnel. Burris moved to recess to Executive Session for personnel matters of nonelected personnel for ten (10) minutes with the Mayor, Council, and City Administrator Pendergast present, pursuant to the non-elected personnel exemption under K.S.A. 75-4319 (b)(1). The meeting will resume via Zoom Video Conferencing and streamed live at <https://www.facebook.com/discoveoakley/live> at 8:03 PM. Nickel seconded. Motion carried unanimously. Action (#11306).

Mayor Whyte re-convened the meeting and no action was taken following the executive session.

Stephenson moved to recess to Executive Session for personnel matters of nonelected personnel for ten (10) minutes with the Mayor, Council, City Administrator Pendergast, and Parks/Cemetery Director Russell Moellering present, pursuant to the non-elected personnel exemption under K.S.A. 75-4319 (b)(1). The meeting will resume via Zoom Video Conferencing and streamed live at <https://www.facebook.com/discoveoakley/live> at 8:15 PM. Burris seconded. Motion carried unanimously. Action (#11307).

Mayor Whyte re-convened the meeting and no action was taken following the executive session.

Stephenson moved to recess to Executive Session for personnel matters of nonelected personnel for ten (10) minutes with the Mayor, Council, and City Administrator Pendergast present, pursuant to the non-elected personnel exemption under K.S.A. 75-4319 (b)(1). The meeting will resume via Zoom Video Conferencing and streamed live at <https://www.facebook.com/discoveoakley/live> at 8:27 PM. Huddle seconded. Motion carried unanimously. Action (#11308).

Mayor Whyte re-convened the meeting and no action was taken following the executive session.

UNFINISHED DISCUSSION/ACTION ITEMS:

Oakley Municipal Pool Discussion. Administrator Pendergast noted the Council tabled this topic at the April 20, 2020, meeting, to be discussed at this meeting. Pendergast and Parks/Cemetery Director, Russell Moellering, discussed the reopening restrictions of no more than 30 people with individuals maintaining 6 foot social distancing during Phase 2 of the Reopening Plan and both thought that would be difficult to enforce; therefore, their recommendation was to wait until Phase 3 where the restrictions are less, with a total of 90 people allowed, and no social distancing requirements. Pendergast also noted again that if the pool were not to open, it would save the City around \$40,000.00. Discussion followed. Stephenson moved to approve a target date of June 6<sup>th</sup> to open the pool, pending staff ability to have it filled and ready. Dorman seconded. Motion carried unanimously. Action (#11309).

200 Center Avenue Building Discussion. Administrator Pendergast reported the bricks have been removed on the street and on the property. He also stated he has contacted two firms who will look at the property and potentially bid on demolishing the building. Tim Whyte, property owner, shared some ideas he is looking into as far as possibly getting the property renovated/repared. Council Member Burris asked if there was something that could be done to at least open the street to one lane. Discussion followed but no decisions were made.

Mayoral Appointments of Staff and Boards. Mayor Whyte made the following staff appointments:

City Administrator – Bradley Pendergast  
Chief of Police – Daniel Cooper  
City Clerk – Leann Hughes  
Deputy City Clerk – Barbara Kelly  
Municipal Judge – Anthony Haffner  
Municipal Court Clerk – Linda Engel  
City Attorney – Steve Hirsch of Hirsch Law Office  
Fire Chief – Russell Moellering

Stephenson moved to approve staff appointments, as presented by Mayor Whyte. Huddle seconded. Motion carried unanimously. Action (#11310).

Mayor Whyte made the following appointments to the Planning Commission:

Murray Bean – 3 year term to May, 2023  
Glen Good – 3 year term to May, 2023

Stephenson moved to approve appointments to the Planning Commission, as presented by Mayor Whyte. Dorman seconded. Motion carried unanimously. Action (#11311).

Mayor Whyte made the following appointment to the Board of Zoning Appeals:

Bill Schwarz – 3 year term to May, 2023

Stephenson moved to approve the appointment to the Board of Zoning Appeals, as presented by Mayor Whyte. Huddle seconded. Motion carried unanimously. Action (#11312).

Mayor Whyte made the following appointments to the Airport Authority:

David Wieland – 2 year term to May, 2022  
John Holzmeister – 2 year term to May, 2022

Dorman moved to approve appointments to the Airport Authority, as presented by Mayor Whyte. Stephenson seconded. Motion carried unanimously. Action (#11313).

Mayor Whyte made the following appointments to the Housing Authority:

Larry Eberle – 4 year term to May, 2024

Joy Crandall – to fill an unexpired term from someone resigning, through May, 2021

Stephenson moved to approve appointments to the Housing Authority, as presented by Mayor Whyte. Dorman seconded. Motion carried unanimously. Action (#11314).

Mayor Whyte made the following appointments to the Library Board:

Bill Steiner – 4 year term to May, 2024

Tara Temaats – 4 year term to May, 2024

Dorman moved to approve appointments to the Library Board, as presented by Mayor Whyte. Stephenson seconded. Motion carried unanimously. Action (#11315).

#### ADMINISTRATIVE REPORTS/DISCUSSION:

Bradley Pendergast, City Administrator. Administrator Pendergast reported that Refuse Director, Marc Burris, would like to apply for another recycling grant to purchase 30 more recycling hoppers. The cost to the City would be 25%, or around \$4,000.00. It was the consensus of the Council for Burris to proceed with the grant application. Pendergast also discussed the hiring of summer staff. It was the consensus of the Council to proceed with hiring summer staff.

Leann Hughes, City Clerk. No report.

#### MAYOR AND COUNCIL REPORTS/DISCUSSION:

Council Member Dorman reported he has visited the landfill and the recycling building recently and was pleased that both premises' were kept up well.

Council Member Stephenson stated he would like to encourage citizens to stay vigilant on COVID-19 precautions to keep everyone safe.

Mayor Whyte inquired about a situation where rocks had been thrown up into some grass on residential properties. Administrator Pendergast stated he would check with Street Director, Edwin Burris, about this. Mayor Whyte also inquired about the crack sealing repairs on the valley gutters. Pendergast stated the once the weather warms up, they will be able to work on this.

Adjourn. Stephenson moved to adjourn the meeting. Huddle seconded. Motion carried unanimously. Action (#11316). Mayor Whyte adjourned the meeting at approximately 8:51 PM.

Leann M. Hughes, CMC  
City Clerk

#### APPROVAL OF MINUTES:

The members of the Council acknowledged receipt of a copy of the minutes; said minutes were approved as presented at the May 18, 2020, regular meeting.