

The Oakley City Council met in regular session on June 3, 2019, in the meeting room at the Oakley Fire Station, 215 Hudson Avenue at 7:00 PM. Mayor 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, Street Director Edwin Burris, Police Chief Daniel Cooper and Museum Director Jodee Reed.

Others present. Jan Ackerman, Travis Ryburn and Justin Whyte.

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

Minutes. Nickel moved approve the minutes of the May 20, 2019, regular meeting as presented. Huddle seconded. Motion carried unanimously. Action (#11048).

AP Payment Register. After reviewing the AP Payment Register, Council Member Nickel asked for the record to reflect that she has a concern that City purchases be made from local vendors. Dorman moved to approve the May 29, 2019, AP Payment Register in the amount of \$36,952.61 (Check Nos. 45343; 45351-45388; and 5242019). Huddle seconded. Motion carried. Burris, Dorman, and Huddle voting yes; Nickel voting no. Action (#11049). Huddle moved to approve the May 29, 2019, AP Payment Register in the amount of \$3,390.00 (Check No. 121), to be paid out of Drug Forfeiture Fund. Motion carried unanimously. Action (#11050).

Time Entry Report. Dorman moved to approve the Time Entry Report for May 5, 2019 to May 18, 2019, for 2,791.25 hours (ACH Nos. 93907-93957; Check Nos. 17166-17168; AP Check Nos. 45345-45350; Wire Nos. 454-457). Huddle seconded. Motion carried unanimously. Action (#11051)

Citizen Request to Speak. None.

Department Head Reports. Museum Director Jodee Reed reported on activities at the Fick Fossil and History Museum. No action was taken.

#### NEW DISCUSSION/ACTION ITEMS:

R&R Tire Repair – Abatement Hearing. Travis Ryburn and Jan Ackerman were present for a Hearing on an abatement notice for R&R Tire Repair. Following discussion, it was the consensus of the Council to allow Mr. Ryburn as long as it takes to resolve the violations as long as progress is being made and clean-up does not stop.

Sidewalk Condemnation Resolution – 206 S. Hudson Avenue. Burris moved to approve Resolution 2019-03, condemning a sidewalk within the City of Oakley and ordering the repair of such sidewalk, all pursuant to K.S.A. 12-1801 et seq. Nickel seconded. Motion carried unanimously. Action (#11052).

Sidewalk Condemnation Resolution – 401 Cornell Avenue. Burris moved to approve Resolution 2019-04, condemning a sidewalk within the City of Oakley and ordering the repair of such sidewalk, all pursuant to K.S.A. 12-1801 et seq. Motion died for lack of a second.

Sidewalk Condemnation Resolution – 506 Cornell Avenue. Nickel moved to approve Resolution 2019-04, condemning a sidewalk within the City of Oakley and ordering the repair of such sidewalk, all pursuant to K.S.A. 12-1801 et seq. Huddle seconded. Motion carried. Dorman, Huddle and Nickel voting yes; Burris voting no. Action (#11053).

Sidewalk Condemnation Resolution – 322 Cornell Avenue. Nickel moved to approve Resolution 2019-05, condemning a sidewalk within the City of Oakley and ordering the repair of such sidewalk, all pursuant to K.S.A. 12-1801 et seq. Huddle seconded. Motion carried. Dorman, Huddle and Nickel voting yes; Burris voting no. Action (#11054).

Sidewalk Condemnation Resolution – 216 W. 3<sup>rd</sup> Street. Following discussion, it was the consensus of the Council not to pass a resolution for condemnation at this time since the property owner has contacted City Administrator Pendergast concerning repairs/replacement.

Sidewalk Condemnation Resolution – 208 W. 3<sup>rd</sup> Street. Nickel moved to approve Resolution 2019-06, condemning a sidewalk within the City of Oakley and ordering the repair of such sidewalk, all pursuant to K.S.A. 12-1801 et seq. Huddle seconded. Motion carried. Dorman, Huddle and Nickel voting yes; Burris voting no. Action (#11055).

Sidewalk Condemnation Resolution – 522 Center Avenue. Nickel moved to approve Resolution 2019-07, condemning a sidewalk within the City of Oakley and ordering the repair of such sidewalk, all pursuant to K.S.A. 12-1801 et seq. Huddle seconded. Motion carried. Dorman, Huddle and Nickel voting yes; Burris voting no. Action (#11056).

Sidewalk Condemnation Resolution – 407 Center Avenue. Following discussion, it was the consensus of the Council not to pass a resolution for condemnation at this time since the property owner has already removed the tree and contacted City Administrator Pendergast concerning sidewalk replacement.

Sidewalk Condemnation Resolution – 104 E. 6<sup>th</sup> Street. Following discussion, it was the consensus of the Council not to pass a resolution for condemnation at this time since the property owner has contacted City Administrator Pendergast concerning repairs/replacement.

Sidewalk Condemnation Resolution – 206 E. 7<sup>th</sup> Street. Following discussion, it was the consensus of the Council not to pass a resolution for condemnation at this time since the property owner has contacted City Administrator Pendergast concerning repairs/replacement.

Sidewalk Condemnation Resolution – 412 E. 4<sup>th</sup> Street. Following discussion, it was the consensus of the Council not to pass a resolution for condemnation at this time since the property owner has contacted City Administrator Pendergast concerning repairs/replacement.

Sidewalk Condemnation Resolution – 202 Freeman Avenue. Nickel moved to approve Resolution 2019-08, condemning a sidewalk within the City of Oakley and ordering the repair of such sidewalk, all pursuant to K.S.A. 12-1801 et seq. Motion failed for lack of a second.

It was the consensus of the Council for Administrator Pendergast to proceed with notifications on the next group properties for sidewalk condemnations.

Drainage at 1015 W. 2<sup>nd</sup> Street. Administrator Pendergast reported on conversations with the property owner of 1015 W. 2<sup>nd</sup> Street and on bids to make repairs. Following discussion, it was the consensus of the Council to have Pendergast contact an engineer to discuss what other options on repairs might be viable.

Approval to Open 427 Hudson Avenue to Public Bidding. Burris moved to approve opening the property at 427 Hudson Avenue to public bidding. Dorman seconded. Motion carried unanimously. Action (#11057).

Executive Session for Non-Elected Personnel. Burris moved to recess to Executive Session for matters of non-elected personnel, for ten (10) minutes with the Mayor, Council, Administrator Pendergast and Museum Director Jodee Reed present, pursuant to the non-elected personnel exemption under K.S.A.

75-4319 (b)(1). The meeting will resume in the meeting room at the Oakley Fire Station at 215 Hudson Avenue at 8:52 PM. Huddle seconded. Motion carried unanimously. Action (#11058).

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

Huddle moved to adjourn to executive session for matters of non-elected personnel for five (5) minutes with the Mayor, Council, Administrator Pendergast and Museum Director Jodee Reed present, pursuant to the non-elected personnel exemption under K.S.A. 75-4319 (b)(1). The meeting will resume in the meeting room at the Oakley Fire Station at 215 Hudson Avenue at 8:58 PM. Burris seconded. Motion carried unanimously. Action (#11059).

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

5/17/19 AP Payment Register Correction. Huddle moved to approve a correction to the May 17, 2019, AP Payment Register to reflect the correct check number of 45344 for vendor BBVA Compass Bank. Burris seconded. Motion carried unanimously. Action (#11060).

#### ADMINISTRATIVE REPORTS/DISCUSSION:

Administrative Reports. Administrator Pendergast reported on several activities of the various departments of the City. No action was taken

Mayor and Council Reports. Council member Huddle noted that vehicles are again being moved in to the property on the curve on 8<sup>th</sup> Street. It was the consensus of the Council to have Administrator Pendergast contact City Attorney Hirsch on the matter.

Adjourn. Huddle moved to adjourn the meeting. Dorman seconded. Motion carried unanimously. Action (#11061). Mayor Whyte adjourned the meeting at approximately 9:12 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 June 17, 2019 meeting.