

The Oakley City Council met in regular session on September 21, 2020, in the meeting room at the Oakley Fire Station, 215 Hudson Avenue, and streamed live at <https://www.facebook.com/discoveroakley/live> at 7:00 PM. Mayor Stephenson presided.

Council members present. Jordan Burris, Chris Dorman, Leasa Huddle, Russ Kahle and Ilene Nickel were present.

City staff present. City Administrator Bradley Pendergast, City Clerk Leann Hughes and Police Chief Daniel Cooper.

Others present. Nick Albers, Sonya Cooksey, Robert Cooksey, Jason Schmidt, Emily Keller, Heather Rietcheck, Stephanie Wright, Kezia Uhrich, Mark Hubert and Jan Ackerman.

Call to order. Mayor Stephenson called the meeting to order at 7:00 PM.

Minutes. Nickel moved to approve the minutes of the September 8, 2020, regular meeting, as presented. Kahle seconded. Motion carried. Dorman, Kahle and Nickel voting yes; Burris and Huddle abstaining. Action (#11395).

AP Payment Registers. Burris moved to approve the September 18, 2020, AP Payment Register, for checks dated September 15, 2020, in the amount of \$28,989.13 (Check Nos. 314; 46919; and 46924-46956). Dorman seconded. Motion carried unanimously. Action (#11396).

Burris moved to approve the September 16, 2020, AP Payment Register, in the amount of \$13,493.94 (Check Nos. 138-140), paid out of the Drug Forfeiture Fund. Kahle seconded. Motion carried unanimously. Action (#11397).

Dorman moved to approve the September 11, 2020, AP Payment Register, for checks dated August 31, 2020, in the amount of \$1,020.00 (Check Nos. 1014-1016), paid out of the Prosecutor's Charitable Trust Fund. Nickel seconded. Motion carried unanimously. Action (#11398).

Time Entry Report. Burris moved to approve the Time Entry Report for August 23, 2020, to September 5, 2020, dated September 9, 2020, for the September 11, 2020, payroll, in the amount of \$42,112.29 for 2,095.26 hours (Check Nos. 17282-17283; ACH Nos. 95336-95363; AP Check Nos. 46920-46923; Wire Nos. 593-596). Huddle seconded. Motion carried unanimously. Action (#11399).

Citizen Request to Speak. None.

Department Head Reports. Included in Administrator's Report.

#### NEW DISCUSSION/ACTION ITEMS:

Nick Albers – Code Enforcement Hearing. Administrator Pendergast reported that Mr. Albers has two abatement cases that have gone to Municipal Court and were continued to allow Mr. Albers to have a hearing with the Council. Pendergast noted he provided documentation on these properties in the Council packets. Mr. Albers told the Council he understood from Mrs. Ackerman that he was fine as long as he was making progress on the cleanup of the two properties and he felt he had made progress. Mrs. Ackerman agreed that she had told him this, but she felt that not enough progress has been made. Discussion followed. Dorman moved to grant a sixty (60) day extension on the abatement of 113 Edgerton Avenue, with the stipulation that improvement on the property must be seen by November 21, 2020. Kahle seconded. Motion carried unanimously. (Action #11400). Dorman moved to grant a sixty (60) day extension on the abatement of 904 S. Sunrise Avenue, with the stipulation that improvement on the property must be seen by November 21, 2020. Nickel seconded. Motion carried unanimously. Action (#11401).

227 Edgerton – Agreement Extension. Administrator Pendergast reported Art Martin, the property owner of 227 Edgerton Avenue, has requested an extension on the agreement the City made with him at the December 3, 2019, Council Meeting, on the removal of the church structure. Mr. Martin expressed to Pendergast that health issues coupled with COVID-19 have hindered his ability to have the structure removed by September 30, 2020. He has asked for an extension to September 30, 2021. Discussion followed. Burriss moved to approve an extension of time to June 30, 2021, for the property owner to remove the church structure located at 227 Edgerton Avenue, provided a fence is erected and proper safety measures have been taken on the doors and windows as soon as possible. Kahle seconded. Motion carried unanimously. Action (#11402).

Park Development Group – Request for Funding. Pendergast reported that Sonya Cooksey of the Park Development Group requested to be on the agenda to formally request funding from the City. Pendergast noted he felt it was the consensus of the Council, from previous discussions, to wait on deciding on any funding until the final outcome of the building at 200 Center Avenue is known. Pendergast also noted that Parks/Cemetery Director, Russell Moellering, checked with Burlington, Colorado, on maintenance expectations since they have a splash pad. They informed Moellering they dedicate at least 1 hour per day, 7 days per week, for maintenance, etc. Cooksey addressed the Council about all of the items they are working on and asked that the Council donate \$100,000 towards Phase 1 of the project instead of specifically for the splash pad. Considerable discussion followed. Kahle moved to approve a donation of \$100,000.00 to the Park Development Group for items established in Phase I, with Administrator Pendergast bringing back options of where the funding can be taken from. Huddle seconded. Motion carried unanimously. Action (#11403). Mayor Stephenson requested the group include contract labor in their costs rather than asking the City to donate all the labor; Cooksey agreed to do this.

Community Sponsorship Application – Western Vistas Historic Byway. Pendergast reported the Council approved the Community Assistance Request for the Western Vistas Historic Byway in the amount of \$1,295.50, at the September 8, 2020, meeting, and that payment has been remitted. The applicant contacted Pendergast and stated he wrote the incorrect amount on the request and it should have been \$49.50 more. Therefore, they have submitted a second request for the additional \$49.50. Huddle moved to approve an additional payment of \$49.50 for the Western Vistas Historic Byway brochure, to be paid out of the Convention and Tourism Fund. Dorman seconded. Motion carried unanimously. Action (#11404).

Executive Session for Non-elected Personnel. Burriss moved to recess to Executive Session for personnel matters of nonelected personnel for twenty (20) minutes with the Mayor, Council, City Administrator Pendergast and Police Chief Dan Cooper 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 8:24 PM. Kahle seconded. Motion carried unanimously. Action (#11405).

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

#### UNFINISHED DISCUSSION/ACTION ITEMS:

RF Water Meters. Nothing at this time.

Water Treatment. To be included in City Administrator Report.

Paperless Council Packets. Administrator Pendergast stated he is waiting on the SPARK funding, which will hopefully be received by the end of the month, to proceed.

## ADMINISTRATIVE REPORTS/DISCUSSION:

Bradley Pendergast, City Administrator. Administrator Pendergast reported on activities of the various City Departments, including, SPARK Funding, Water Treatment and repairs needed for Unit #9 in the Police Department.

Pendergast also reported there was an oversight when the updated Employee Handbook was approved for 2020, with regard to the donation of accumulated sick leave. Prior to 2015, the policy allowed employees who had in excess of 800 hours to donate sick leave to another employee; however, that was changed by motion at the October 5, 2015, Council meeting, to allow employees who had in excess of 200 hours to donate sick leave. That update had not been made to the electronic version of the handbook, so the approved copy for 2020 reverted back to the 800 hours. Discussion followed. Burris moved to amend Section E-9, Subsection C, Donation of Accumulated Sick Leave, of the Employee Handbook, to strike the two references of 800 hours and replace them with 200 hours. Dorman seconded. Motion carried unanimously. Action (#11406).

Pendergast also reported Duane Dinkel was in contact with him regarding the erection of a fence at 201 W. Third, and all the items except the posts have been delivered and work will begin soon on this project.

Leann Hughes, City Clerk. No report.

## MAYOR AND COUNCIL REPORTS/DISCUSSION:

Dorman asked for clarification on how overtime hours are figured for the Police Department, noting he knew it was not just 40 hrs. per week. Pendergast and Chief Cooper explained that Officer overtime is paid after 171 hours worked in a four week period.

Nickel inquired about the status of a building permit issue. Pendergast responded that he has informed the property owner the building will need to be moved or removed.

Kahle reminded Pendergast he is willing to meet with him and representatives from G&H regarding paperless packets.

Burris reported that, due to a scheduling conflict, he is resigning from the City Council, effective October 1, 2020. Mayor Stephenson noted Burris had contacted him about this and that he submitted a letter of resignation for the record.

Adjourn. Dorman moved to adjourn the meeting. Burris seconded. Motion carried unanimously. Action (#11407). Mayor Stephenson adjourned the meeting at approximately 8:37 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 October 5, 2020, meeting.