

The Oakley City Council met in regular session on April 18, 2022, in the meeting room at the Oakley City Office, 415 W. 2<sup>nd</sup> Street, at 7:00 P.M. Mayor Shane Stephenson presided.

Council members present. Leasa Huddle, Russ Kahle, Trevor Mader, Cheryl Stewart, and Kile Zerr were present.

City staff present. City Administrator Brock Sloan, Police Chief Daniel Cooper, Street Director Edwin (Butch) Burris, Deputy City Clerk Barbara Kelley, and City Clerk Leann Hughes.

Others present. Jan Ackerman, Code Enforcement Officer, Bea Albers, Darren Goetz and Stan Blair.

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

Approval of Minutes of Previous Meeting. Zerr moved to approve the minutes of the April 4, 2022, regular meeting, as presented. Stewart seconded. Motion carried. Huddle, Mader, Stewart and Zerr voting yes; Kahle abstaining. Action (#14879).

Approval of AP Payment Register. Huddle moved to approve the April 14, 2022, AP Payment Register, in the amount of \$222,291.09, for checks dated April 15, 2022, for 2022 expenses (Check Nos. 412-413; 48829-48833; and 48839-48877). Stewart seconded. Motion carried. Huddle, Kahle, Stewart and Zerr voting yes; Mader abstaining. Action (#14880).

Approval of Time Entry Report. Zerr moved to approve the Time Entry Report for March 20, 2022, to April 2, 2022, dated April 6, 2022, for the April 8, 2022, payroll, in the amount of \$50,251.49 for 2,180.39 hours (Check Nos. 17489-17494; ACH Nos. 96731-96771; AP Check Nos. 48834-48838; Wire Nos. 758-761). Mader seconded. Motion carried unanimously. Action (#14881).

Citizen Request to Speak. Edwin (Butch) Burris addressed the Council in regard to Code Enforcement, noting that he feels Ms. Ackerman does a good job and that the position is necessary.

Bea Albers addressed the Council in regard to Code Enforcement, noting that she feels the money being spent for a Code Enforcement Officer could be better spent on rewarding those properties that look nice and she suggested there might be some organizations that could be solicited to help people who need it.

Stan Blair addressed the Council in regard to Code Enforcement, stating that he had some questions about some letters he received. The first letter he received from Code Enforcement Officer Ackerman informed him he was encroaching on the City alley and his understanding of the measurements indicate the City owns eighteen inches (18") of his garage. He was not sure what to do about that, if that is actually the case. The second letter he received from Ackerman was after they met during Municipal Court and he had agreed to build a fence. Ms. Ackerman included a sketch of where the fence should be placed, but he stated that would be about ten feet (10') onto his neighbor's property to the north. Again, he was not sure how to proceed.

Department Head Reports. None.

#### NEW DISCUSSION/ACTION ITEMS:

Code Enforcement Annual Review. Administrator Sloan reminded the Council that the agreement with Jan Ackerman for Code Enforcement automatically renews each April 15, for a one-year term, unless one of the parties cancels the agreement in writing, giving a thirty (30) day notice. Sloan also noted Ackerman provided some information and statistics, which were handed out at the meeting.

Considerable discussion followed, including how violations are determined by the City's Municipal Code; that the State does not necessarily require a Code Enforcement Officer, but the City's Municipal Code incorporated the position and established that violations will be cited; that the majority of the Council may not always agree with citations, but they feel Code Enforcement is necessary; and the full Council is in favor of local organizations assisting citizens in need, if that can be put together. Council Member Stewart did pass on concerns from citizens that they felt they were being targeted and that low-income households, elderly residents and certain areas of town are being targeted. She added that many of the citizens who came to her with concerns did not attend the meeting because they felt they would be targeted and there would be retribution.

Council Member Stewart moved to start the 30-day termination process with Jan Ackerman, LLC, as Code Enforcement Officer for the City of Oakley. Motion failed with no second. Council Member Stewart moved to remove the auto-renewal clause for Code Enforcement with Jan Ackerman, LLC, and for the contract to come up for renewal annually. There was discussion of the 30-day termination clause in the agreement for both parties. Motion failed with no second. The agreement will continue. Mayor Stephenson encouraged those present to contact Ackerman if they have questions or issues and if the matters are not resolved to their satisfaction, they should contact Administrator Sloan. If after speaking with Ackerman and Sloan, anyone who is still are not satisfied, should contact Mayor Stephenson.

New LED Sign – Buffalo Bill Cultural Center. Administrator Sloan reported that Laurie Millensifer, with the Buffalo Bill Cultural Center, has received a quote to replace the LED sign at the Cultural Center, which is out of warranty. Sloan reviewed the sign specifications with the Council and stated the estimated sign cost is around \$39,000.00. They have asked for the City to pay for this out of the Convention and Tourism Fund. Mayor Stephenson inquired if the sign is still functional. Sloan stated it is, but it is old enough there are no parts for repairs. Mayor Stephenson and Council Member Huddle noted the ownership of the sign was brought up a few years ago and they believe it was determined that the Cultural Center owns the sign, not the City. Following discussion, it was the consensus of the council to deny the request at this time, since the City does not own the sign.

Community Sponsorship – VFW, Run for the Wall. Administrator Sloan reported VFW Post 2981, has submitted a request for \$1,000.00 of tourism funds to help pay for food for the Run for the Wall riders who will be coming through town on May 22<sup>nd</sup>, 2022. Huddle moved to approve the donation of \$1,000.00 to the VFW Run for the Wall, to be paid from the Convention and Tourism Fund, Annual Tourism Events. Kahle seconded. Motion carried unanimously. Action (#14882).

Monitoring Well for ADM. Administrator Sloan reported he was contacted by a company asking for permission to place a monitoring well for ADM Elevator on the east side of the City's 22.4-acre tract. Sloan presented information and a map of where this would be and noted it was approved by the State. Sloan also stated he spoke with City Attorney Steve Hirsch, who recommended the City ask the company for an agreement outlining what they want to do and he would review it, before any decision is made. It was the consensus of the Council to have Sloan proceed in working with this company and to bring back additional information at a later meeting.

#### UNFINISHED DISCUSSION/ACTION ITEMS:

Potential Land Sale – 2.94 acre tract at Airport. Administrator Sloan reported the City received an inquiry in August, 2021, about purchasing a tract of land south of the Sonic Drive In. Since the tract is on the east edge of Airport property, the FAA had to approve the possible sale, then the property had to be surveyed, an appraisal and appraisal review had to be performed, and the appraised fair market value will need to be approved. Sloan reviewed the steps necessary if the Council agrees to sell the property. Darren Goetz, with Mitten, Inc., who is interested in purchasing this property, was present to answer questions. He confirmed Mitten's has considered an employee parking lot and possibly an

office structure, but no definite plans have been made. Kahle moved to proceed with the land sale of a 2.94-acre tract, more or less, in the NE/4 of Section 12, T 11 S, Range 32 W of the Sixth Principal Meridian, Logan County, Kansas. Zerr seconded. Motion carried unanimously. Action (#14883). Sloan with work with Mitten, Inc., to move forward.

Approve Prosecutor's Charitable Trust Committee. Mayor Stephenson appointed himself, Council member Leasa Huddle and the City Clerk to serve as the Scholarship Committee at the last Council meeting, but the appointment was not approved by the Council. Zerr moved to approve the Mayor's 2022 Scholarship Committee for the Prosecutor's Charitable Trust, consisting of the Mayor, Council Member Leasa Huddle and the City Clerk. Stewart seconded. Motion carried. Kahle, Mader, Stewart and Zerr voting yes; Huddle abstaining. Action (#14884).

Ordinance 1173 – Water Service Installation Fees. Administrator Sloan reported that Rodney Huffman, Water/Wastewater Director, previously determined the materials cost for the installation of a 1" water meter was over \$1,300.00. City Ordinance No. 1062, adopted in 2009, set the price charged at \$315.00. Proposed Ordinance No. 1173 will allow for the costs for the installation to keep up with current prices and inflation. Kahle moved to approve Ordinance No. 1173, an Ordinance providing for the application and payment of fees to the City of Oakley, Kansas, for water service installation and repealing Ordinance No. 1062. Zerr seconded. Motion carried unanimously. Action (#14885).

Ordinance 1174 – Tree Planting. Administrator Sloan reported Rodney Huffman, Water/Wastewater Director, has requested City Ordinance No. 1174, relating to trees, be amended to allow for a greater distance requirement from utility lines for newly planted trees. Discussion followed. Zerr moved to approve Ordinance No. 1174, an Ordinance relating to the planting of trees, corner clearance, tree trimming and removal, arborist licensing, and repealing Ordinance No. 1163. Mader seconded. Motion carried unanimously. Action (#14886).

One Ton Pickup Bids. Administrator Sloan provided costs to add a tommy lift to the one-ton pickup bids for the Water/Wastewater Department and he noted that Water/Wastewater Director, Rodney Huffman, would prefer to add the tommy lift to the 2012 Dodge they currently drive. Sloan also noted that Master Tech Truck Equipment is a dealer, so the warranty would start when the pickup is acquired. Mayor Stephenson noted that he had a concern that the amount budgeted for the vehicle in 2022 was \$50,000.00, but the quotes came in over \$70,000.00. Following considerable discussion, it was the consensus of the Council to table the purchase until 2023 and to have Sloan include an updated amount in the budget for 2023. Sloan will also work on an updated trade schedule for City vehicles.

#### ADMINISTRATIVE REPORTS/DISCUSSION:

Brock Sloan, City Administrator. Administrator Sloan reported on several items, including:

- Mayer Specialty Services out of Goddard, Kansas, is in Oakley this week to do annual cleaning and videoing of a portion of the sanitary sewer in town.
- Spring Clean-up has been scheduled for May 17, 2022.
- The City's annual Consumer Confidence Report (CCR) will be mailed to customers with the April utility bill. The only violation is nitrates. A copy was included in the Council packet.
- A newsletter will also accompany the April utility bills; a copy was included in the Council packet.
- The Logan County Community Foundation is hosting a Donor Exclusive event at 200 Center Avenue on April 29, 2022. The Mayor and Council have been invited to attend; a copy of the invitation was included in the Council packet.
- City and County staff are working on a redesign of the discoveroakley website. Photos and information on the site will be updated. Sloan invited the Council to let staff know their thoughts for changes. Crystal Faulkender, Jodee Reed and Crystal Rucker are taking the lead on this project.

Sloan asked for thoughts from the Council on providing live audio of the Council Meetings for citizens. Mayor Stephenson noted a quote for microphones was provided by G&H Computers at the last meeting, but there was not a full Council in attendance. Following discussion, it was the consensus of the Council that meetings should be broadcast. Zerr moved to approve the purchase of five (5) microphones from G & H Computer Services in the amount of \$981.88, to be paid out of General Fund, Materials and Supplies. Kahle seconded. Motion carried unanimously. Action (#14887).

#### MAYOR AND COUNCIL REPORTS/DISCUSSION:

Council Member Mader asked that the Council consider placing a sidewalk from the railroad tracks south to Sunshine Bakery on South Freeman Avenue. He noted there are a lot of kids riding bikes and walking in this area and he felt it would be safer to redesign drainage and install a sidewalk. Sloan noted the City applied for a grant through Kansas Department of Transportation (KDOT) for this, but did not receive the grant, also noting the cost was around one million dollars (\$1,000,000.00). Discussion followed. Administrator Sloan will look into funding options and stated he believes KDOT will have another round of grants in the Fall and the City could apply again.

Mayor Stephenson stated he has received several questions concerning the utility rates. He noted he is aware the Council voted to raise rates over a 3-year period of time for upcoming projects, but asked that Administrator Sloan gather the background information on this, with the dates and new amounts implemented, for the Council, so they have the information to help answer questions they might be asked.

Adjourn. Kahle moved to adjourn the meeting. Huddle seconded. Motion carried unanimously. Action (#14888). Mayor Stephenson adjourned the meeting at approximately 8:22 P.M.

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 2, 2022, regular meeting.