

The Oakley City Council met in regular session on June 19, 2023, in the meeting room at the Oakley City Office, 415 W. 2nd Street, at 7:00 P.M. Mayor Shane Stephenson presided.

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

City staff present. City Administrator Brock Sloan, Police Chief Daniel Cooper, Street Director Edwin Burriss and City Clerk Leann Hughes.

Others present. Darin Neufeld with EBH Engineering, Carrie Starns with Options Domestic and Sexual Violence Services, Barbara Kelly, and Jessica Masterson.

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

Approval of Minutes of Previous Meeting(s). Zerr moved to approve the minutes of the June 5, 2023, regular meeting, as presented. Kahle seconded. Motion carried unanimously. Action (#15194).

Approval of AP Payment Register(s). Zerr moved to approve the June 15, 2023, AP Payment Register for checks dated June 15, 2023, in the amount of \$135,359.93 (Check Nos. 510-511; 50245-50246; and 50252-50292). Kahle seconded. Motion carried unanimously. Action (#15195).

Zerr moved to approve the June 15, 2023, AP Payment Register for a check dated June 15, 2023, in the amount of \$256.40 (Check No. 161), to be paid out of the Drug Forfeiture Fund. Mader seconded. Motion carried unanimously. Action (#15196).

Approval of Time Entry Report. Mader moved to approve the Time Entry Report for May 28, 2023 to June 10, 2023, dated June 13, 2023, for the June 16, 2023, payroll, in the amount of \$69,164.94 for 3,498.52 hours (Check Nos. 17603-17608; ACH Nos. 97911-97967; AP Check Nos. 50247-50251; Wire Nos. 882-885). Kahle seconded. Motion carried unanimously. Action (#15197).

Citizen Request to Speak. None.

Department Head Reports. None.

NEW DISCUSSION/ACTION ITEMS:

Andrea Cross – Options Domestic and Sexual Violence Services Update. Carrie Starns, Board Member of Options Domestic and Sexual Violence Services, was present in place of Andrea Cross, to provide the Council with an overview of the services they offer as well as to share current statistics. Starns noted they are currently looking at adding a mobile advocate to the Northwest area, who would likely be based in Colby. Kahle asked when they anticipate adding the staff member. Starns stated they had interviewed for the position recently and hope to have the position filled soon. Starns requested the Council consider a donation of \$2,000.00 for fiscal year 2024, reminding everyone that their services are free of charge to those in need and that they could not provide those services without donations. Discussion followed. Mayor Stephenson asked the Council to consider a donation of \$4,000.00 instead of \$2,000.00, because he feels there is a need for these services in our area. It was the consensus of the Council to include a \$4,000.00 donation to Options in the 2024 budget.

Engineering Agreement – EBH – Freeman Avenue KDOT Cost Share. Darin Neufeld, with EBH, P.A., was present to discuss the award of the KDOT Cost Share Project for South Freeman Avenue. Neufeld congratulated the Council on the award, noting only 14 cost-share projects were awarded. He also reviewed their proposed contract for engineering services, explaining that both the Survey, Design and Bidding and the Construction, Engineering, Inspection and Testing pieces are hourly fees with a “not to exceed” amount so they will try to save the City costs where they can. Discussion of the project details followed. Zerr moved to approve the agreement for engineering services for the design, and construction services of Freeman Avenue, from US

40 to Front Street, in an amount not to exceed \$65,000.00 for Survey, Design, and Bidding Services, and not to exceed \$80,000.00 for the Construction Engineering, Inspection and Testing to EBH, P.A., Consulting Engineers, to be paid from the Capital Improvement, Street Fund. Kahle seconded. Motion carried unanimously. Action (#15198).

Ordinance 1179 – Rezoning 1164 Albert Street. Administrator Sloan reported the Planning Commission held a public hearing to consider the rezoning of a tract located at 1164 Albert Street from I-2, Heavy Industrial, to C-S, Commercial Service District, and they have recommended the Council approve the request for rezoning. Zerr moved to the approve Ordinance No. 1178, adopting the recommendation of the Planning Commission to rezone 1164 Albert Street from I-2, Heavy Industrial, to C-S, Commercial Service District. Kahle seconded. Barbara Kelly noted the agenda lists the Ordinance No. as 1179 instead of 1178. Zerr amended his motion to correct the Ordinance Number from 1178 to 1179; Kahle seconded. Motion carried unanimously. Action (#15199).

Ordinance 1180 – Rezoning 306 Sunrise Avenue. Administrator Sloan reported the Planning Commission held a public hearing to consider the rezoning of a tract located at 306 Sunrise Avenue from R-1, Single Family Dwelling District, to C-2, General Commercial District, and they have recommended the Council approve the request for rezoning. Kahle moved to the approve Ordinance No. 1180, adopting the recommendation of the Planning Commission to rezone 306 Sunrise Avenue from R-1, Single Family Dwelling District, to C-2, General Commercial District. Mader seconded. Motion carried unanimously. Action (#15200).

Personnel Policy – Police Overtime. Administrator Sloan reported the Mayor, Police Commissioner Russ Kahle, and himself met to discuss options to retain police officers. They are recommending the overtime requirement be changed from 171 hours in a 28-day period to the 40-hour work week currently used by the rest of the City departments. They also are recommending a \$100.00 per month vehicle allowance for Police Officers and Dispatchers that live more than 20 miles from Oakley. Mader moved to approve the changes in Section D-9, Overtime Work, in the Employee Manual, to change overtime compensation for Police Officers to a 40-hour work week. The change shall be effective starting on the July 10, 2023, pay period. Kahle seconded. Administrator Sloan noted the effective date needs to be corrected to the June 25, 2023, through July 9, 2023, pay period, to coincide with the end of a 171 day overtime period in the Police Department. Mader amended his motion to change the effective date from July 10, 2023, pay period to the June 25, 2003, through July 9, 2023, pay period. Kahle seconded. Motion carried unanimously. Action (#15201).

There was discussion of the vehicle allowance. Clerk Hughes asked if this was going to be extended to include all employees and not just the police department. Kahle moved to approve the addition of Section D-11, vehicle allowance, to the Employee Handbook, effective July 1, 2023, which will state that all employees who live more than 20 miles from Oakley shall be eligible for a \$100.00/month vehicle allowance. Zerr seconded. Motion carried unanimously. Action (#15202). Street Director, Edwin Burris, inquired if the employee is off work for 2 weeks if they still receive the allowance. Mayor Stephenson replied they would, as long as they are taking leave time.

UNFINISHED DISCUSSION/ACTION ITEMS:

Chickens. Council Members Zerr and Mader expressed their opposition to allowing chickens in the City limits after looking further into what it would involve. It was the consensus of the Council not to move forward with considering allowing chickens in the city limits at this time. There was also discussion that there are some citizens who currently have chickens in the city limits who were grandfathered in at the time the Ordinance not allowing chickens was passed, and they will be allowed to keep them until ownership of the property changes.

Cornell Street Properties. Administrator Sloan presented draft applications for purchasing/acquiring vacant lots on Cornell Avenue owned by the City. Sloan stated he checked with the City Attorney, Steve Hirsch, and there are no statutory requirements to follow, but Hirsch wanted to remind everyone that the process needs to be equitable. Discussion followed. Sloan noted if an application is approved by the Council, then it would be provided to the City Attorney to prepare an agreement with the potential buyer/new owner. It was the consensus of the Council to move forward, using the form presented.

Executive Session for Non-elected Personnel. Kahle moved to recess to Executive Session for personnel matters of nonelected personnel for ten (10) minutes with the Mayor and Council 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 City Office, 415 W. 2nd Street at 8:01 PM. Zerr seconded. Motion carried unanimously. Action (#15203).

Mayor Stephenson re-convened the meeting stating no action was taken.

Kahle moved to allow Mayor Stephenson to complete the evaluation for City Administrator Brock Sloan, with changes to his contract, as discussed. Mader seconded. Motion carried unanimously. Action (#15204).

ADMINISTRATIVE REPORTS/DISCUSSION:

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

- Daphne Dixon and Alyssa with evroadtrip.org stopped by City Hall on June 9, 2023, on a 5100-mile coast to coast EV trip in a Chevy Bolt. They are trying to promote alternate energy.
- The water crew is working on getting the lead and copper service line information from customers that the City is mandated to obtain by the EPA and KDHE.

Leann Hughes, City Clerk. No report.

MAYOR AND COUNCIL REPORTS/DISCUSSION:

Council Member Mader inquired of Chief Cooper what happened during the parade at the car show, with regard to the police chants. Discussion followed and it was noted that issues are arising from local citizens that are not participants in the car show. The Council expressed their concern that these chants cannot be allowed to happen. Following more discussion, Mayor Stephenson noted the Council has a year to look at possible options/alternatives to help alleviate some of the issues.

Adjourn. Zerr moved to adjourn the meeting. Kahle seconded. Motion carried unanimously. Action (#15205). Mayor Stephenson adjourned the meeting at approximately 8:14 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 July 3, 2023, regular meeting.