

Regular Council Meeting  
August 8, 2016

1. **Mayor Scott Schultz called the meeting to order at 7:30.** Present were Council Members Bruce Swihart, Carla Lampe, Roger Jensen, Amanda Milne and Paula Keller. Also present were City Superintendent JR Landenberger, City Attorney Mike Day, City Clerk Lila Whitmore and Police Chief Darrell Thomas.
2. **Minutes** from the July 25 meeting were distributed and read. It was moved by Amanda and seconded by Bruce to approve the minutes as presented. Motion passed. Minutes from the July 26 special meeting were distributed and read. It was moved by Bruce and seconded by Carla to approve the minutes as presented. Motion passed.
3. **Consent Agenda** – It was moved by Carla and seconded by Roger to approve the following items on the Consent Agenda: Permission for Clerk to pay insurance at time of billing; Permission for Clerk to pay utilities at time of billing; Permission for Clerk to pay utility incentives before the 25<sup>th</sup> of the month; Permission for Clerk to pay theater bills when due; Permission for Clerk to pay Payment Service Network bills when due. Motion passed.
4. **Visitors:** None
5. **Police Report:** Chief Thomas gave a summary of recent calls. The individual who Darrell had intended to hire part time is no longer available. There have been no new applications received but Darrell is still actively recruiting. The setup of the new software should happen the week of August 22. It was moved by Bruce and seconded by Amanda to accept and file the police report. Motion passed.
6. **New Business:**
  - a. **Andi Culwell Variance Request** – Mrs. Culwell presented her plans for a flower shop to be located at 315 S. College and requested a zoning variance for the property. The Council determined the property owners to be impacted by the business would be: Rebecca Roberson, Chris and Jana LaBarge, Rodney and Sandra Bracelin, Melvin and Barb Dunn, and Troy and Teresa Porter. It was moved by Bruce and seconded by Roger to approve granting the variance contingent upon Mr. and Mrs. Cullwell obtaining the required 80% signatures which will need to be confirmed by the City Clerk. Motion passed. This is not a zoning change and the re-designation from residential to commercial is for Ryan and Andi Culwell only.
  - b. **Tyler Howard Property/Animal Complaint** – Mr. Howard was present to lodge a formal complaint with the Council regarding the condition of a neighbor's property at 501 S. Frances and concerns about the tortoises and turtles that are being kept there. The smell is horrendous and it is affecting the entire neighborhood. Mr. Howard is also concerned about parasites and germs that can be carried by reptiles. The property has quite a bit of trash as well. John and ~~Christi~~ Kristi Guthmiller were also present and shared the same concerns regarding a property next to them at 534 E. Second where they have counted 14 turtles/tortoises being kept. Similar complaints have been heard regarding properties at 417 East Jackson and the Empire Motel at 115 East Business US Highway 36. The Council determined that the turtles are a nuisance and potential health hazard and the properties are in violation of city code. With two formal complaints being lodged the Council instructed Attorney Day to proceed with notifying the property owners of the violation.
  - c. A motion was made by Bruce and seconded by Roger to approve **Ordinance No. 605:** AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF ST. FRANCIS, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES," EDITION OF 2016, AMENDING SECTION 101 OF ARTICLE 11 OF THE 2015 CODE OF THE CITY OF ST. FRANCIS, KANSAS AND REPEALING ORDINANCE NO. 598. Keller-aye; Milne-aye; Jensen-aye; Lampe-aye; Swihart-aye. Motion passed. A motion was made by Bruce and seconded by Amanda to approve **Ordinance No. 606:** AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF ST. FRANCIS, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," EDITION OF 2016, AMENDING SECTION 101 OF ARTICLE 14 OF THE 2015 CODE OF THE CITY OF ST. FRANCIS, KANSAS AND REPEALING ORDINANCE NO. 599. Keller-aye; Milne-aye; Jensen-aye; Lampe-aye; Swihart-aye. Motion passed.

## 7. Old Business:

- a. **Property Cleanup** – Court Dates have been set for some properties and several others have received cleanup notifications. JR visited one of the properties and found it to also have several issues that would make it unfit to be lived in. JR and Attorney Day will follow up with the property owner. There have been numerous weed letters sent out and some mowing that the city has had to do.
- b. **Verizon Lease** – Attorney Day approved and presented to the Council the new lease agreement. Verizon will now be paying the same as AT&T, \$500 per month, to lease space on the water tower for their equipment. A motion was made by Roger and seconded by Paula for the mayor to sign the agreement. Motion passed. Attorney Day left the meeting.
- c. **Siren** – There was considerable discussion regarding the new siren. Ryan Murray, Emergency Management Director, was present to answer questions. He indicated that the disaster declaration that had been submitted to FEMA that would have included reimbursement for the siren as a disaster loss had been denied. The Council had previously approved locating the siren at the hospital. However there are concerns that the hospital may not in fact be the best choice and there may be other options that could be considered. There was discussion also regarding the generator that may be required for the new siren. The City does have a generator that could be used in the event of a power failure to the siren. It is not clear how loud the siren is going to be. JR indicates they may be able to temporarily install the siren in the current siren location to run a test to see how it would impact dispatch. JR will get the specifications from the manufacturer and the Council will discuss this again at a future meeting.
- d. Mayor Schultz indicated he had received one bid for the remaining police car. The Council decided it would be best to advertise one more time to accept bids. Bids will be accepted until August 19.
- e. **Pending Projects:**

**Scout Hut Siding** – The repairs on the siding have been completed and the Council commented on how nice it looks.

**Roadside Park Electrical Hookups** – The council requested Clerk Whitmore touch base with Carol Sloper regarding the status of the safehouse grant. If it is approved, the location of the safehouse could affect the installation of the electrical hookups at the park. There have been several campers utilizing the park recently.

**Keller Pond Update** – Roger will be meeting with a representative of the Sunflower Foundation to tour Keller Pond on Friday.

**Washington Street Beautification** – The committee will try to find an arborist to check into trimming the remaining trees. They are still working on funding for the large flower pots.

8. **Pool Report** – Bruce indicated that the majority of the lifeguards plan to return next year. The last day the pool will be open is Friday, August 12. It was moved by Paula and seconded by Roger to accept and file the pool report. Motion passed.
9. **Public Building Commission Report** – The next meeting will be held Wednesday August 10<sup>th</sup>. Final plans for the pool will be reviewed. Clerk Whitmore indicated that she is now posting agendas and approved minutes on the City website. It was moved by Amanda and seconded by Paula to accept and file the PBC report. Motion passed.
10. **Building Permits** – It was moved by Bruce and seconded by Amanda to approve the following building permits: Kent Kechter – 411 E. Whittier, exterior home improvements; and pending JR's inspection: Brent Rueb – 511 S. River, addition to a house. Motion passed.
11. **Superintendent Report** – a) McCormick Excavation will begin work on the repaving of College Street this week. b) JR will be updating the job description for the position that will need to be filled when Scott Houtman resigns. c) The city crews are in the process of flushing the water mains. d) Maintenance of the property where the new pool will be located is now the city's responsibility. Brad Matthies is moving the water line and Travis Milne is moving the baseball backstop. e) The street sweeper has been fixed and is again operational. f) During the fair weekend there was some vandalism at the Courthouse Park on the sprinklers and in the bathroom. g) BSB Construction has completed the level control manhole project. h) There are two trees still needing to be removed on Washington Street. i) Well #9 has been having some as yet unidentified problems. It was moved by Bruce and seconded by Paula to accept and file the superintendent report. Motion passed.

**12. Attorney Report** – none

**13. Clerk Report** – **a)** Clerk Whitmore let the Council know that the event that the Peace Lutheran Church is hosting at the Bandshell has been moved from August 14 to September 11. **b)** Librarian Michelle Wolff had contacted Lila asking if there was a city policy regulating who can use the Library conference room. She would like to host an author for a book signing, and the author would be selling copies of her book. The Library Board thought there was a policy that prohibited anyone using the facilities to make a profit. Clerk Whitmore confirmed that the City does not currently have a written policy regarding this. After some discussion the Council agreed that the Library Board could develop its own guidelines. The Council did not feel there was a need for a written policy unless it becomes an issue. **c)** Clerk Whitmore let the Council know that the St. Francis Herald had neglected to publish the Notice of Public Hearing in the August 4<sup>th</sup> paper. We have been assured that it will be in the August 11<sup>th</sup> paper. However, because of this, the Public Hearing will need to be rescheduled so that the required 10 day period between publication and the hearing can be met. The Council set the Public Hearing for 7:15 PM on August 22. It was moved by Bruce and seconded by Roger to accept and file the clerk report. Motion passed.

**14. Council comments:** **Paula** – the vote passed to establish the Public Building Commission for the Assisted Living, **Amanda** – wanted to know if the Scout Hut could be used for a meeting of the neighborhood watch meeting and if the rental fee could be waived. The Council agreed to waive the rental fee for the organizational meeting but they would need to fill out an application for rental. The group can come to a Council meeting and request a waiver for future meetings. Clerk Whitmore pointed out that 4-H Clubs have been paying rental fees. There was more discussion about rental fees and who should pay them. The Council felt that youth groups and non-profit organizations could request a waiver of the rental fee. Any other use would require payment of the rental fee but there would be no restrictions on the “for profit” use. **Roger** – none, **Carla** – thanked everyone for their help at the parade, **Bruce** - none

**15. Mayor Comments:** none

**16.** All bills on **Ordinance #993** were reviewed. It was moved by Bruce and seconded by Roger to approve the bills in the amount of \$234,171.18. Motion Passed.

**17. Adjournment:** A motion was made by Bruce and seconded by Amanda to adjourn the meeting. Motion passed.

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City Clerk