

The Oakley City Council met in regular session on January 18, 2021, 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. Leasa Huddle, Russ Kahle, ~~Ilene Nickel~~ and Kile Zerr.; ~~Ilene Nickel was absent.~~

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

Others present. Elijah Winger, Corina Cox and Darin Neufeld.

Public Hearing – Conflict of Interest CDBG-CV. Mayor Stephenson opened the Public Hearing being held for the purpose of receiving public comment on possible conflicts of interest regarding the City's Community Development Block Grant project, CDBG #20-CV-101, at 7:00 PM. Corina Cox, Northwest Kansas Planning and Development Commission, was present, and explained that there is a conflict of interest because one of the applicants for funding, Buffalo Bills Bar & Grill, LLC, is owned by Ben Kuhlman, who is related to Council Member Russ Kahle. Cox explained the State requires a hearing to make sure no one has any concerns. Mayor Stephenson asked for any further comments; there being none, he closed the hearing at approximately 7:02 P.M.

Call to order. Mayor Stephenson called the regular meeting to order at approximately 7:02 PM.

Mayoral Appointment of New Council Member. Mayor Stephenson appointed Elijah Winger to fulfill the unexpired term of Council Member Jordan Burris, through December 31, 2021. Kahle moved to approve the appointment of Elijah Winger to fulfill the unexpired term of Council Member Jordan Burris, through December 31, 2021. Huddle seconded. Motion carried unanimously. Action (#11493). Clerk Hughes administered the Oath of Office to new Council Member Winger.

Approval of Minutes of Previous Meeting(s). Kahle moved to approve the minutes of the January 4, 2021, regular meeting, as presented. Huddle seconded. Motion carried. Huddle, Kahle, Winger and Zerr voting yes; Nickel abstaining. Action (#11494).

Approval of AP Payment Registers. Kahle moved to approve the January 15, 2021, AP Payment Register, for checks dated January 15, 2021, for 2020 expenses, in the amount of \$17,070.03. (Check Nos. 47285-47289). Nickel seconded. Motion carried unanimously. Action (#11495).

Kahle moved to approve Treasurer's Check Number 47221, in the amount of \$69.04, dated December 22, 2020, from the checking account to the petty cash account for a returned check covered by petty cash. Huddle seconded. Motion carried unanimously. Action (#11496).

Zerr moved to approve the January 15, 2021 AP Payment Register, for checks dated January 15, 2021, for 2021 expenses, in the amount of \$136,069.27. (Check Nos. 335-338; 47275-47278; 47290-47331). Nickel seconded. Motion carried unanimously. Action (#11497).

Huddle moved to approve the January 12, 2021 AP Payment Register, for checks dated January 12, 2021, for 2020 expenses, in the amount of \$12,467.23. (Check Nos. 47257-47274). Kahle seconded. Motion carried unanimously. Action (#11498).

Kahle moved to approve the January 15, 2021 AP Payment Register, for checks dated January 15, 2021, for 2020 expenses, in the amount of \$65,153.50, to be paid out of the Drug Forfeiture Fund. (Check No. 145). Huddle seconded. Motion carried unanimously. Action (#11499).

Zerr moved to approve the January 14, 2021 AP Payment Register, for checks dated January 11, 2021, for 2020 expenses, in the amount of \$428.49, to be paid out of the Non-Interest Bearing (SPARK) Fund. (Check No. 1012). Nickel seconded. Motion carried unanimously. Action (#11500).

Approval of Time Entry Report. Kahle moved to approve the Time Entry Report for December 27, 2020, to January 9, 2021, dated January 13, 2021, for the January 15, 2021, payroll, in the amount of \$46,685.94, for 2,245.81 hours (Check Nos. 17310-17311; ACH Nos. 95617-95646; AP Check Nos. 47279-47284; Wire Nos. 630-633). Huddle seconded. Motion carried unanimously. Action (#11501).

Citizen Request to Speak. None.

Department Head Reports. Included in Administrator's Report.

#### NEW DISCUSSION/ACTION ITEMS:

CDBG-CV Awards – Corina Cox, NWKPDC. Corina Cox, Northwest Kansas Planning and Development Commission, was present, to discuss the CDBG-CV Grant Awards and she asked if the Council was in favor of requesting a Conflict of Interest Waiver following the hearing earlier. Huddle moved to approve the submission of a Conflict of Interest Waiver to the State of Kansas for Buffalo Bills Bar & Grill, LLC, owned by Ben Kuhlman, for CDBG #20-CV-101. Nickel seconded. Motion carried. Huddle, Nickel, Winger and Zerr voting yes; Kahle abstaining. (Action #11502). Cox explained that the business that sold is no longer eligible for funding so the Council will need to decide how to divide the funds between the two remaining applicants. Cox said the applications totaled \$76,849.58, but the award was \$40,000.00. Cox also presented some options on how to split the funds, but emphasized it is totally at the discretion of the Council. Discussion followed. Nickel moved to approve the disbursement of the CDBG #20-CV-101 Grant funds, as presented in Option #2 by Corina Cox, being a 50/50 split between the two applicants. Motion died for the lack of a second. Further discussion was held. Nickel moved to approve the disbursement of the CDBG #20-CV-101 Grant funds, as presented in Option #2 by Corina Cox, being a 50/50 split between the two applicants. Huddle seconded. Motion carried. Huddle, Nickel, Winger and Zerr voting yes; Kahle abstaining. (Action #114503). Huddle moved to approve the submission of Request for Payment of CDBG Funds No. 1, Grant No. 20-CV-101. Nickel seconded. Huddle, Nickel, Winger and Zerr voting yes; Kahle abstaining. (Action #114504).

Airport Annual Planning – Darin Neufeld, EBH Engineering. Darin Neufeld of EBH Engineering was present to discuss the Oakley Municipal Airport Annual Planning. Neufeld stated he met with the Airport Board and he presented recommendations from that meeting. He presented a list of planned projects and discussed new software being implemented by FAA. He also noted that KDOT will have some grant funds available that the City will want to apply for and if the funds are awarded, the rotating beacon project will be funded from that grant and replaced with something else in the FAA plan. Kahle moved to approve the Airport Improvement Program for Fiscal Year 2021, as presented by Darin Neufeld of EBH Engineering. Huddle seconded. Motion carried unanimously. Action (#114505).

Police Vehicle Replacement Discussion. Administrator Pendergast and Chief Cooper discussed a tentative plan to replace Police Trucks on a regular basis, while trade-in values are good and the City has not spent a lot of money in repairs. Discussion followed. It was the consensus of the Council to proceed with obtaining bids for two new trucks, less trade-ins. Mayor Stephenson also wanted the record to show that Council Member Kile Zerr no longer has any affiliation with J & R Motors.

Vicious/Dangerous Dog Ordinance Discussion. Administrator Pendergast reported he reviewed the City's current Ordinance on Dangerous Animals with Police Chief Cooper and City Attorney Hirsch, following the request by a citizen at the last Council meeting that this possibly be revised. He included a copy of the current Ordinance with revisions required to make it enforceable for dangerous dogs instead of being breed specific. Discussion followed. It was the consensus of the Council to have Pendergast bring a revised Ordinance to the next meeting for consideration.

Authorized Signatures – Non-Interest Bearing Project Fund. Administrator Pendergast stated a new signature card needs to be issued for the Non-Interest Bearing Project Fund (SPARK) since former Council Member Chris Dorman was a signer. Zerr moved to approve Mayor Shane Stephenson, Council Member Russ Kahle, City Clerk Leann Hughes and Deputy City Clerk Barbara Kelly as signers for the non-interest bearing project fund bank account. Huddle seconded. Motion carried unanimously. Action (#114506).

Executive Session for Non-Elected Personnel. Kahle moved to recess to Executive Session for personnel matters of nonelected personnel for five (5) minutes with the Mayor, Council and City Administrator Pendergast 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 8:07 PM. Nickel seconded. Motion carried unanimously. Action (#114507).

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

Executive Session for Non-Elected Personnel. The second executive session on the agenda was not held.

#### UNFINISHED DISCUSSION/ACTION ITEMS:

RF Water Meters. Nothing at this time.

Water Treatment. Nothing at this time.

Mayor Stephenson and Administrator Pendergast reported they had discussed the necessity of the RF Meters and Pendergast will be looking into some funding options.

#### ADMINISTRATIVE REPORTS/DISCUSSION:

Bradley Pendergast, City Administrator. Administrator Pendergast reported on several activities of the various departments of the City. All of the crews are assisting at the new City Building on Second Street when they can. Mayor Stephenson inquired if the area in front of Midwest Energy, Inc., on Colby Avenue, will be included in the bids for replacing curb and gutter and valley gutters. Pendergast will check with Street Director Edwin Burris.

Leann Hughes, City Clerk. Clerk Hughes provided copies of thank you notes to the Council.

#### MAYOR AND COUNCIL REPORTS/DISCUSSION:

Mayor Stephenson again encouraged the public to be cautious, wear masks and social distance when possible.

Adjourn. Huddle moved to adjourn the meeting. Kahle seconded. Motion carried unanimously. Action (#14508). Mayor Stephenson adjourned the meeting at approximately 8:14 PM

Leann M. Hughes, CMC  
City Clerk

#### APPROVAL OF MINUTES:

The members of the Council acknowledged receipt of a copy of the minutes. The minutes were corrected to show that Ilene Nickel, Council Member, was present; said minutes were then approved as corrected at the February 1, 2021, regular meeting.