

The Oakley City Council met in regular session on February 19, 2019, in the meeting room at the Oakley Fire Station, 215 Hudson Avenue at 7:00 PM. Mayor Timothy Whyte presided.

Council members present. Jordan Burris, Chris Dorman, Ilene Nickel and Shane Stephenson; Leasa Huddle arrived after the meeting was called to order.

City staff present. City Administrator Bradley Pendergast by cell phone, City Clerk Leann Hughes, Police Chief Daniel Cooper, Water/Wastewater Director Rodney Huffman and Street Director Edwin Burris.

Others present. Carolyn Robben, Kirsten Dutton and Brian Spano.

Call to order. Mayor Whyte called the meeting to order.

Minutes. Nickel moved to approve the minutes of the February 4, 2019, regular meeting as presented. Dorman seconded. Motion carried. Burris, Dorman and Nickel voting yes; Stephenson abstaining since he was not present at the meeting. Action (#10972).

Council Member Huddle arrived at approximately 7:02 P.M.

AP Payment Registers. Stephenson moved to approve the February 15, 2019, AP Payment for 2018 invoices in the amount of \$32,125.16 (Check Nos. 44946; 44953; 44992-44997). Burris seconded. Motion carried unanimously. Action (#10973). Stephenson moved to approve the February 15, 2019, AP Payment for 2019 invoices in the amount of \$85,210.86 (Check Nos. 44935-44945; 44947; 44954-44991; 2042019). Huddle seconded. Motion carried unanimously. Action (#10974).

Time Entry Report. Stephenson moved to approve the Time Entry Report for January 27, 2019 to February 9, 2019 for 2,178.74 hours (ACH Nos. 93690-93721; Check Nos. 17142-17143; Check Nos. 44948-44952; Wire Nos. 426-429). Huddle seconded. Motion carried. Dorman, Huddle, Nickel and Stephenson voting yes; Burris voting no. Action (#10975).

Citizen Request to Speak. None.

City Administrator Brad Pendergast joined the meeting by cell phone.

Department Head Reports. Addressed later in the meeting with the Administrative Reports.

Water Treatment - Brian, Spano, Wilson & Co. Mayor Whyte moved the Water Treatment topic up on the agenda to allow Mr. Spano to leave sooner, due to the weather. Spano distributed a map showing the current water wells in the City and reviewed the current status of each well. He discussed traditional water treatment options, including Ion Exchange and Reverse Osmosis, along with the pros and cons of each type of nitrate removal systems. He then discussed a new water treatment option developed by Microvi and Westech. The new option has not been used in Kansas yet, but the Kansas Department of Health and Environment (KDHE) has expressed an interest in seeing a pilot of this process. After considerable discussion, it was the consensus of the Council to have Spano obtain an estimate of the cost for Oakley to be a pilot and it was agreed if this moves forward for Wilson & Co. to prepare a Pilot Protocol with the cost to be taken out of the credit balance remaining from the Water Distribution Supply Study.

Strategic Doing – Mural Proposal. Kirsten Dutton met with the Council to discuss changes to the original mural project. Dutton explained they approached the Council to request approval of the down payment of \$5,000.00 and that amount has not changed even though the project has been scaled down. Discussion followed. Stephenson moved to approve moving forward with the \$5,000.00 down payment

for the mural project even though it has been scaled down, to be paid from Transient Guest Tax Funds. Dorman seconded. Motion carried unanimously. Action (#10976).

Donation – Westview Rec Center. Administrator Pendergast noted that Carolyn Robben, Housing Authority Director, provided policy information concerning the Westview Rec Center, which was included in the Council packets. Robben was present to answer any questions about the Center and the request for a donation in the amount of \$4,000.00. Discussion followed. Stephenson moved to approve a donation of \$4,000.00 to the Oakley Housing Authority to be used for the Westview Rec Center. Huddle seconded. Motion carried. Dorman, Huddle, Nickel and Stephenson voting yes; Burris voting no. Action (#10977).

Oakley Housing Authority – Payment in Lieu of Taxes. Administrator Pendergast noted that Carolyn Robben, Housing Authority Director, provided financial information regarding the Housing Authority, which was included in the Council packets. Robben was present to answer any questions about the Housing Authority and the request for a waiver of the Payment in Lieu of Taxes. Discussion followed. Stephenson moved to approve a waiver of the Payment in Lieu of Taxes for the Oakley Housing Authority for 2019. Huddle seconded. Motion carried unanimously. Action (#10978).

Rec Board – Summer Help/Mowing. Administrator Pendergast noted a draft contract with the Rec Board for mowing was included in the Council packet for Council review. Council Member Stephenson inquired what the Rec Board paid for mowing services in the past couple of years. Pendergast was not certain of the exact amount but believed it was at least double the \$5,200 currently being considered. There was discussion of whether or not the City employee would be performing any services other than mowing and there was discussion of the cost of depreciation of City equipment. It was the consensus of the Council to have Pendergast present a counter offer to the Rec Board of the City providing an employee to mow from May 15, 2019, to August 15, 2019, for \$5,200, plus \$2,500 equipment costs and to negotiate the calculation of an hourly fee for any mowing services outside that time frame.

Street Surface Sealing Bids. Administrator Pendergast reported two bids were received for onyx mastic surface street sealing, as follows: Hall Brothers of Marysville, KS - \$53,450.00; and Circle C Paving of Goddard, KS - \$46,761.90. Pendergast noted this project is for Center Avenue and that it would have to be closed for a day. Street Director Burris noted they have a plan to do the north one-half one day, then the south one-half the following day. Stephenson moved to approve the bid of Circle C Paving of Goddard, KS for surface street sealing in the amount of \$46,761.90. Burris seconded. Motion carried unanimously. Action (#10979).

Street Crack Sealing Bids. Administrator Pendergast reported two bids were received for crack street sealing, as follows: Circle C Paving of Goddard, KS – 14,285 lbs. - \$19,999; and Sweeney's Pavement Maintenance of Hays, KS – 15,100 lbs. - \$20,000. Pendergast noted Sweeney's was utilized last year with satisfactory results. Stephenson moved to approve the bid of Sweeney's Pavement Maintenance of Hays, KS for crack street sealing in the amount of \$20,000.00. Dorman seconded. Motion carried unanimously. Action (#10980).

Street Loader Repair – Change of Funds Used for Payment. Administrator Pendergast updated the Council on the Street Loader repair, noting a motion was made at the November 5, 2018, meeting to approve repairs but after that motion was made, it was discovered there was a faulty part the City was not notified of. Pendergast negotiated a lower cost due to the circumstances and Murphy Tractor has submitted an invoice for \$6,761.43. The original motion was to pay this out of General Fund, but after researching and consulting with the City Attorney, Pendergast recommended paying the revised amount from Special Highway Funds instead of the General Fund. Nickel moved to rescind the motion made at the November 5, 2018, Council Meeting, Action #10893, approving the repair of the Street Loader, with the cost not to exceed \$19,335.25, and to pay the expense out of the General Fund. Huddle seconded. Motion carried unanimously. Action (#10981). Dorman moved to approve the payment to Murphy

Tractor for repairs to the Street Loader in the amount of \$6,761.43, to be paid out of Special Highway. Stephenson seconded. Motion carried unanimously. Action (#10982).

Council Meeting Audio Recordings. Pendergast reported on some preliminary costs for basic audio recording equipment and answered other questions surrounding the audio recording of Council Meetings. He also noted that HB2219 has been introduced by the Kansas Legislature, which would require audio recordings of open meetings. Pendergast suggested the Council may want to table this topic to see what becomes of HB2219. Councilman Burris felt the cost was low enough there was no reason to put it off. Discussion followed. It was the consensus of the Council to table the matter for discussion at the March 4th meeting to see if anything develops from HB2219.

Channel 117 Policy. Pendergast reported a copy of the current policy was in the packet. Council Member Nickel noted she thought the policy was fine but birthday parties should not be posted. Following discussion, it was the consensus of the Council that birthday parties not be posted.

Administrative Reports. Administrator Pendergast reported on several activities:

- City crews have been taking care of routine items, repairs, vehicle/equipment maintenance, etc., in their respective departments.
- The Police Department has started seizure process on two semis and trailers; the Landfill fuel thief has been caught; and the Recycling Center thief has been caught. Also, a new Officer has been hired and plans to begin duties the second week of March.
- Fick Museum is sending out information for the Wall that Heals to schools and newspapers.
- Pendergast negotiated a lower cost with Sporer Land Development for the new Cell at the Landfill from \$32,602.50 to \$30,296.52.
- The City was contacted by KDOT concerning a 2014 grant for replacement of Airport aprons for \$10,711.14. Clerk Hughes submitted the necessary paperwork and the reimbursement has been received.
- Larry Berggren contacted Pendergast concerning his airport hangar. He would like to discuss the possibility of selling it to the City since he no longer has a need for it. It was the consensus of the Council to have Pendergast work with Berggren to see if they can find a suitable solution.

Mayor and Council Reports. Council Member Dorman inquired what is going on with the line locates on Second Street. Pendergast stated this is AT&T, who is putting in a new fiber optic line. Dorman inquired if there has been any progress on a solution for the low spot in front of the USDA building. Pendergast stated he spoke with the owner late last year and the owner was going to contact him after the first of the year but he has not heard back from him. He will contact him again.

Council Member Burris reported he had been contacted by a number of citizens asking why the City does not have a Police Officer at the school crossing all the time. Pendergast noted that one factor is that there are two schools. Burris stated he responded that there are two schools and if there are only two officers on duty and they are both at the school crossings, the rest of the town is left unprotected. There was discussion that this might be a school issue. Council Member Burris also noted considerable truck traffic down Center Avenue last week. He said the trucks were avoiding the Department of Transportation, who were set up at the US Highway 40/83 intersection. There was discussion of an Ordinance to establish a truck route. Pendergast will investigate options. Council Member Burris inquired of applications for the Landfill. Pendergast responded there was one application and an interview has been scheduled.

Mayor Whyte reported he is working a couple of part-time jobs that might occasionally cause him to be late to a Council Meeting or to be absent. He inquired if the Council wanted to put into place a policy in case he is absent and Council Member Stephenson, who is the Council President, is also absent. Whyte stated it was suggested to him that the Council Member who is designated to sign checks be the person to Chair the meeting in such a situation, which is Council Member Huddle. Huddle was fine with that and

so was the rest of the Council. Mayor Whyte also noted he was contacted about a truck parked on the wrong side of the street and he passed it on to dispatch. He was told the truck then moved to the right side of the street. He inquired if the truck had a permit. Chief Cooper will check into the situation.

Adjourn. Stephenson moved to adjourn the meeting. Huddle seconded. Motion carried unanimously. Action (#10983). Mayor Whyte adjourned the meeting at approximately 8:55 PM.

Leann M. Hughes, CMC
City Clerk