

The Oakley City Council met in regular session on September 16, 2019, in the meeting room at the Oakley Fire Station, 215 Hudson Avenue at 7:00 PM. Mayor Whyte presided.

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

City staff present. City Administrator Bradley Pendergast, City Clerk Leann Hughes, Police Chief Daniel Cooper, Landfill Director Marc Burris, Ronnie Rumback, Ryan Leitner, Julie Parker, Rodney Huffman, Barbara Kelly, Russell Moellering, William Cunningham, Edwin Burris, Linda Engel, Julie Eskew, Jodee Reed and Sara McDonald.

Others present. Paula Rumback, Janna Leitner, Carl Parker, Tina Huffman, Nicole Moellering, Mary Cunningham, Paula Burris, and Dennis Engel.

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

Minutes. Nickel moved to approve the minutes of the September 3, 2019, regular meeting as presented. Dorman seconded. Motion carried unanimously. Action (#11118).

AP Payment Register. Dorman moved to approve the September 13, 2019, AP Payment Register in the amount of \$37,168.88 (Check Nos. 45717-45721; 45727-45763; and 9042019). Nickel seconded. Motion carried unanimously. Action (#11119).

Council Member Jordan Burris arrived at approximately 7:02 P.M.

Dorman moved to approve the September 2, 2019, AP Payment Register in the amount of \$750.00 (Check No. 1013) paid out of the Prosecutor's Charitable Trust Fund. Nickel seconded. Motion carried unanimously. Action (#11120).

Dorman moved to approve the September 13, 2019, AP Payment Register in the amount of \$4,303.29 (Check Nos. 126-127) paid out of the Drug Forfeiture Fund. Stephenson seconded. Motion carried unanimously. Action (#11121).

Time Entry Report. Stephenson moved to approve the Time Entry Report for August 25, 2019 to September 7, 2019, in the amount of \$43,541.19 for 2,261.50 hours (ACH Nos. 94338-94366; Check Nos. 17199-17201; AP Check Nos. 45722-45726; Wire Nos. 486-489). Burris seconded. Motion carried unanimously. Action (#11122).

Citizen Request to Speak. None.

Department Head Reports. Covered in Administrative Reports later in the meeting.

Since there were no citizens present for agenda items until the PTO Policy, that item was moved up on the agenda to this point.

PTO Policy. The Mayor, Council Members, City Administrator and City Employees discussed the current leave policies with Vacation Leave and Sick Leave in place and the possibility of changing that to Paid Time Off. Pros and Cons were discussed. It was the consensus of the Council to have Administrator Pendergast draft a PTO Policy wherein all the Vacation Leave and Sick Leave are added together for a total and Pendergast will also prepare some payout options when employees terminate or retire for consideration at the next meeting.

## NEW DISCUSSION/ACTION ITEMS:

Application for Drinking Establishment License – Buffalo Bills Bar & Grill. Stephenson moved to approve a Drinking Establishment License for Buffalo Bills Bar and Grill LLC. Nickel seconded. Motion carried unanimously. Action (#11123).

Rezoning Ordinance – 427 Hudson Avenue. Administrator Pendergast reported the Planning Commission recommended approval of the rezoning of 427 Hudson Avenue at their August 21, 2019, meeting. Discussion followed. Burris moved to approve Ordinance No. 1160, adopting the recommendation of the Planning Commission and changing certain zoning within the City of Oakley, Kansas. Stephenson seconded. Motion carried unanimously. Action (#11124).

Community Sponsorship – Gun, Coin and Knife Show. Stephenson moved to approve the funding request from the Oakley Area Chamber of Commerce in the amount of \$500.00, to be paid from the Transient Guest Tax Fund, for the Gun, Coin and Knife Show to be held September 21-22, 2019. Motion carried unanimously. Action (#11125). Nickel seconded.  
(Correction made at October 7, 2019, regular meeting.)

Landfill Loader Bids. Administrator Pendergast and Landfill Director Marc Burris reviewed bids received for a new loader at the landfill, as follows: 1. Foley Equipment, Colby, KS – New 2020 Caterpillar 926M Wheel Loader - \$175,526.59 less Trade-in for Caterpillar 924K - \$53,500, for a Final Bid Amount of \$122,026.59. 2. The Victor Phillips Co., Garden City, KS – New 2020 Case 621G XT T4F Wheel Loader - \$186,700 less Trade-in for Caterpillar 924K - \$42,000 for a Final Bid Amount of \$144,700.00. Administrator Pendergast also presented financing options, as follows: 1. Caterpillar Financing – 3.20% Rate - 5 Year Term – Annual Payment of \$26,863.29 – Total Loan Cost of \$134,316.44. 2. Farmers State Bank – 4.50% Rate - 5 Year Term – Annual Payment of \$27,864.97 – Total Loan Cost of \$139,324.87. 3. The Bank - 3.48% Rate - 5 Year Term – Annual Payment of \$27,077.75 – Total Loan Cost of \$135,388.58. 4. Peoples State Bank – 4.95% - 5 Year Term – Annual Payment of \$28,146.12 – Total Loan Cost of \$140,730.62. Discussion followed. Stephenson moved to approve the bid from Foley Equipment, Colby, KS for a new 2020 Caterpillar 926M Wheel Loader at a total cost of \$122,026.59 with trade-in and to finance the purchase through Caterpillar, per the terms quoted. Dorman seconded. Motion carried. Burris, Dorman and Stephenson voting yes; Nickel voting no. Action (#11126).

Tree Ordinance Discussion. Administrator Pendergast presented a draft Tree Ordinance for review and discussion. The Council noted a few changes. Pendergast will revise and bring it back for consideration at a future meeting.

Golf Course Lease Discussion. Administrator Pendergast presented and reviewed all relevant documentation he could locate in regards to the Golf Course Lease. He noted the current lease will expire December 31, 2019. Following discussion, it was the consensus of the Council to have City Attorney Steve Hirsch review the current lease and make recommendations for any changes or additions at renewal time.

Appointments of Boards and Committees. Mayor Whyte appointed Tim Hansen to the Board of Zoning Appeals to fill an unexpired term through May, 2022. Burris moved to approve the appointment of Tim Hansen to the Board of Zoning Appeals to fill an unexpired term through May, 2022. Dorman seconded. Motion carried unanimously. Action (#11127).

Mayor Whyte appointed Jim Boyd to the Board of Zoning Appeals to fill an unexpired term through May, 2020. Stephenson moved to approve the appointment of Jim Boyd to the Board of Zoning Appeals to fill an unexpired term through May, 2020. Burris seconded. Motion carried unanimously. Action (#11128).

## UNFINISHED DISCUSSION/ACTION ITEMS:

None. PTO Policy was moved to an earlier time on the agenda.

## ADMINISTRATIVE REPORTS/DISCUSSION:

Bradley Pendergast, City Administrator. Administrator Pendergast reported on several activities of the various departments of the City. No action was taken.

Leann Hughes, City Clerk. Clerk Hughes asked for approval to attend the League of Kansas Municipalities Annual Conference in October, 2019. The Council approved this request.

## MAYOR AND COUNCIL REPORTS/DISCUSSION:

Council Member Nickel inquired if parking on sidewalks in the City is permitted. Administrator Pendergast replied it is not and encouraged anyone who observes this happening to report it to the Police Department. Nickel also inquired about yard abatements. Pendergast noted if anyone has any concerns on specific properties to contact him and he will pass it on to the Code Enforcement Officer. Nickel inquired about progress with sidewalk condemnations. Pendergast noted another round of letters has been mailed and he has received a good response.

Council Member Burris inquired about the sidewalks that were not condemned; Pendergast stated he will check on them. Burris requested that the sewer caps in the streets be raised; Pendergast will consult with Water/Wastewater Director Rodney Huffman to get this done. Burris expressed a concern that if the City posts items on Facebook stating certain offenses will be fined, then he feels there should be follow-through, citing recent cases of grass being blown into the street. Pendergast stated they will be taken care of. Burris inquired about the situation with shop towels causing sewer issues. Pendergast stated Water/Wastewater Director Huffman met with motel owners and the incidences have lessened. There was talk of adding a grinder, which could be done on the City's side of the sewer or the customer's side. No action was taken.

Adjourn. Stephenson moved to adjourn the meeting. Dorman seconded. Motion carried unanimously. Action (#11129). Mayor Whyte adjourned the meeting at approximately 8:45 PM.

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 corrected on October 7, 2019.