

**Glen Elder City Council Minutes  
May 4, 2020**

The Glen Elder City Council met in regular session on Monday night at 6:00 p.m., May 4, 2020 at the fire station with the large doors open. Mayor Ryan Duskie and council members: Darel Stuart, Sheila Paxson, Landen Cleveland, Barry McPeak and Larry Wheeler were all present. Also in attendance: Kim Gaston, Mark Marzolf, Wes Thompson, James Reed, Attorney Timothy Demel, Eldon Behymer, Garry Clark, and Jerri Senger.

**Minutes & Claims**

The minutes of the April 6, 2020 meeting were reviewed. Larry made the motion to approve the minutes, Barry seconded the motion and vote carried with five ayes. The claims on hand for the month of April amounting to \$78,680.21 plus the outstanding Mid-Kansas Electric bill were reviewed. Sheila made a motion to approve the claims. Larry seconded the motion and the vote carried with five ayes.

**Code Enforcement**

The council reviewed the report from Code Officer James Reed on his April activities. James said he is in town several times each week. He did mention that he has received verbal complaints of underage golf cart drivers in town and will be checking on those. It should be noted that all ATV and golf cart operators need to have a valid driver's license within the city limits.

**Amended Dog Ordinance #734**

The council discussed enforcement of the new amended dog ordinance #734. This new ordinance leaves the dog limit at two, per household. It no longer allows residents to ask for permission for more than two dogs. Households that have been granted permission for more than two dogs as of May 4, 2020 are grandfathered. However, when those specific "grandfathered" dogs have passed or are no longer being harbored, those households will be limited to just two dogs in the future. The amended ordinance adds a section for state registered hunting guide service entities with a cap at four dogs for those individuals. Darel made a motion to approve amended dog ordinance #734. Larry seconded the motion and the vote carried with five ayes.

**Truck Route**

The Mayor asked those in attendance if they wanted to make comments on the previously discussed truck route ideas. Mark Marzolf said he has problems with the proposed closing of Hobart Street to all trucks. He said the city is trying to get CVA's attention at the expense of their businesses and the farmers. He said if commercial trucks are not allowed on the street, then farmers should not be allowed to drive on Hobart Street either. Mark said truck weight is truck weight, it doesn't matter if it is a farmer or commercial truck. He also said the State of Kansas tells them which routes to take and Hobart Street is essential for large items being hauled on Highway 24 since the railroad bridge has low clearance.

Kim Gaston said he is allowed to drive his trucks anywhere in the 48 states and in Canada. He is upset that Glen Elder is wanting to limit the streets he can drive trucks on. Kim said he put special mufflers on his trucks so they wouldn't be as noisy and added better tarps on the trailers to reduce the dust, as requested by the council. He said he has done more and the council still is not happy. Kim said grain haulers come into town from a far distance. How would the city notify or stop all those trucks? He said the few here tonight are just local haulers.

Wes Thompson said we all pay taxes that help to maintain the streets. He said he cannot haul combines under the railroad bridge on Highway 24 and needs to be able to drive on Hobart Street. He said he has no choice! He said his combines are too wide and cannot go across the dam. He doesn't like this idea, but he would rather pay a one-time fee to drive on the streets than see them closed to truck traffic.

Councilmember Larry Wheeler said he is upset about the excessive wear and tear from the trucks on the streets. He said the city must pay for the street repairs, with no assistance from the county or CVA.

At 6:22 p.m. Darel made a motion to go into executive session to discuss attorney-client matters for fifteen minutes, with the mayor, council, and attorney present. Barry seconded the motion and the vote carried with five ayes.

At 6:37 p.m. Ryan re-opened the regular meeting, with no decisions being made in the executive session.

The truck route topic was tabled until next month.

### **Cemetery Lots**

Attorney Tim Demel informed the council that our current cemetery codes are too sparse. He recommends changing them similar to what the City of Garnett has. There was more discussion on charging a higher rate for cemetery lot purchases to non-resident folks and the definition of a resident. Landen Cleveland said if you vote here then you are a resident. The council also discussed preventing the sale of lots, wanting a first right of refusal to purchase back any unused or unwanted cemetery lots. After the discussion, the council felt it best to just increase the sale price of plots to \$75.00 each and add a section about purchasing back lots. The Attorney will draft a new ordinance for the June meeting.

### **Swimming Pool**

Opening the swimming pool for the summer was discussed. The current Governor's orders do not allow swimming pools to open before May 18. Glen Elder usually opens Memorial weekend, however with the current coronavirus pandemic it is near impossible to predict what restrictions will be in place at that time. Eldon said he would prefer to repaint the pool if it is not opened. He said the paint in the pool is peeling badly. The council asked what it would cost to fill the pool, in the case that it could be opened. Eldon reported it would cost around \$1,200.00 to fill it with the needed chemicals. The Clerk informed the council that Kayla Hamilton accepted the Manager position and she has commitments at school until May 29, 2020. After taking a pole of the council, the majority decided to set a tentative opening date of Saturday, May 30, 2020 – contingent on county recommendations. It was mentioned that CDC cleaning guidelines will need to be followed. The council felt it best to leave the pool rates the same as last year.

### **Monthly Customer Charges**

The council reviewed the written complaints from Alex Volnek and Pat Krontz on monthly customer charges to camper and trailer units that are run through one meter. After reviewing the ordinances, the council felt it best to leave all utility ordinances as they are. It should be noted that the electric, water, sewer, and trash ordinances all state a version of the following. "When two or more dwelling units such as duplexes, apartments and trailer homes, having separate kitchen facilities, are served through one meter, this schedule is applied by multiplying the monthly minimum charge by the number of dwellings units served through the meter. Multiple dwelling units that are individually billed for services shall be charged the

minimum to each unit.” Furthermore, properties will be billed for sewer and trash when water service is on.

### **Building Permits**

Eldon informed the council that all building permits looked fine. He said there are problems with a permit that was issued last month, a new carport at 333 N. Nash. He said it was staked-out to put the carport in at an angle, not what was drawn up and approved last month. Eldon said that the new layout will encroach on the neighbor’s property. The neighbor is having the property surveyed.

Larry made a motion to approve building permit #20-7 a new backyard privacy fence for Scott and Molly Jordan at 316 N. Nash, #20-8 a new fence and concrete pad for Parron and Megan Wilcoxson at 332 N. Hobart. Barry seconded the motion and the vote carried with five ayes.

### **Employee Report**

Eldon informed the council he received a summer job application from Emma Miller; however, she will not be 16 until the middle of June. He said she would mainly mow and weed eat and he wouldn’t allow her to drive any vehicles. The Attorney will check into the rules on hiring someone that young.

Eldon reported a crew will be here Wednesday to repair the fire hydrant, at Market and Railroad, that was hit last week by the semi-truck. Eldon mentioned they have one older hydrant that he would like to have replaced next year.

### **Clerk’s Report**

The Clerk informed the council that library board members plan to attend the June 1<sup>st</sup> council meeting.

### **Council Report**

The council commented on how well the grass in the square is looking. Eldon mentioned having mowing issues with the bagging of grass. The passing of David Ahlvers, former auditor, was mentioned. Barry asked if the meeting time could be moved back to 7:00 with the longer hours of summer. That was an unpopular idea with the council and meetings will remain at 6:00 pm.

With no other business Sheila made a motion to adjourn the meeting. Barry seconded the motion and with five council members voting aye, the meeting was adjourned at 7:33 p.m.

*(These are unofficial minutes, until approved at the next council meeting!)*

Jerri Senger  
City Clerk