

September 7, 2021

**Glen Elder City Council Minutes  
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The Glen Elder City Council met in regular session on Tuesday night at 6:00 p.m., September 7, 2021, at City Hall with Mayor Darel Stuart presiding and council members: Sheila Paxson, Landen Cleveland, Dan Winkel, Barry McPeak, and Larry Wheeler present. Also in attendance: Thomas Depew, Kevin Noller, Stuart Porter, John Mosher, James Reed, Eldon Behymer, and Jerri Senger.

**Minutes & Claims**

The minutes of the August 2, 2021, meeting was reviewed. Barry made the motion to approve the minutes, Larry seconded the motion and the vote carried with five ayes.

The claims on hand for the month of August amounted to \$60,535.14, plus the outstanding Sunflower Electric Power and the Rolling Hills Electric Coop bills were reviewed. Sheila made a motion to approve the claims. Landen seconded the motion and the vote carried with five ayes.

**New Maintenance Employee**

Eldon introduced John Mosher, the new maintenance employee. John gave some background on himself and his family.

**Booster Station & Streets**

Stuart Porter, Engineer with Schwab-Eaton, informed the council the city has water pressure problems for customers on the hill. He said the pump system and piping at the water tower are very outdated and in dire need of rehabilitation. He presented the council with a proposal for engineering services to develop plans and specifications for rehabilitating the booster pump station at the water tower, not to exceed \$14,000.00. Stuart mentioned KDHE requires a permit application, and it may take 90 plus days to get the State's approval on the project. Stuart said the building is in good condition. He suggested updating the pumping equipment with two new good quality pumps. He also recommended new replumbing, piping, and possibly a new pressure tank. Eldon said the city crew would do all the labor for the project. Stuart stated the overall project cost would be between \$30,000.00 and \$50,000.00. Eldon said the American Rescue Plan Act funds qualify for this project. Larry made a motion to get started on the booster pump station project and hire Schwab-Eaton as engineers. Dan seconded the motion and the vote carried with five ayes. The mayor signed the engineering proposal.

Stuart Porter informed the council the KDOT Cost Share Program requires a minimum project match of 15%. However, he has never seen a project approved with that small of a match. He said most approved projects have a 50/50 match. He does feel the truck route re-surfacing project would qualify since it's an economic benefit to the community and the grain trucks. Stuart said there would be some cost to apply for the grant and it would require an engineer to be hired, which adds to the expense of the project. He mentioned next year's application deadline is a more realistic option. Eldon and Stuart discussed different project ideas for Hobart Street. Eldon suggested fixing all the curb and guttering on Hobart before resurfacing the street. Stuart mentioned some KDOT contact names and suggested having the area representative come to town. The mayor asked Stuart Porter what the standard weight limit was on residential streets. Stuart replied, "Streets are not designed for a load, they are designed for a usage." He added, "Chip and seal streets are some of the toughest streets."

### **Code Enforcement**

Code Officer James Reed said August was a busy month for code enforcement. The council reviewed his report. Mayor Darel Stuart asked to have the ordinance re-written on how many warnings are given before a notice to appear in court is sent out. After some discussion, it was the consensus that James can give as many verbal warnings as he wants, however he should only give one red tag and one written warning before the notice to appear in court is sent. It was noted that after one notice to appear is given, written warnings are not required just another notice to appear in court. The council asked to have Scott re-write the ordinance.

### **2022 Revenue Neutral Rate & Budget Hearings**

With a quorum present, Mayor Stuart opened the Revenue Neutral Rate (RNR) Hearing. There was no public comment on the city exceeding the RNR. Sheila made a motion to approve Resolution #21-4 – allowing the city to levy a property tax rate exceeding the Revenue Neutral Rate. Landen seconded the motion and the vote carried with five ayes. The RNR hearing was officially closed.

Darel opened the public hearing on the 2022 budget. The Clerk went over a couple items in the budget. With no further discussion and no public comment on the budget, the public hearing was officially closed. Larry made a motion to approve the 2022 budget as written. Dan seconded the motion and the vote carried with five ayes.

### **Steak Cook-off**

Thomas Depew asked if the city would be a sponsor for the October 30<sup>th</sup> Steak Cook-off. After some discussion, Barry made a motion to donate \$200.00 for the event. Larry seconded the motion and the vote carried with five ayes.

### **UPOC & STO Ordinances**

Larry made a motion to approve Ordinance #738 adopting the 2021 Kansas Uniform Public Offense Codes and Ordinance #739 adopting the 2021 Standard Traffic Ordinances of Kansas. Landen seconded the motion and the vote carried with five ayes.

### **Behymer Sewer Line**

Eldon informed the council he has no way to get a sewer line to his new property at 512 N. Vine Street, on the hill. He said septic tanks don't work well in that area, due to ground water levels. He would like to put a sewage pump in the southwest corner of his lot. Push the sewage through a two-inch line, in city-right-of-way, south to the main behind the boat shop. He said this would be all at his own cost and the line will have a check valve. He will pay the \$50.00 tap fee into the city sewer main.

### **Residential Trash Contract**

On September 3<sup>rd</sup> the city attorney mailed the bid invitations for residential trash collection to five area trash collection companies. Bids will be opened and awarded at the November 1, 2021, council meeting.

### **CMB Ordinance**

The council reviewed the notes from the city attorney on the changes made by the State of Kansas to Cereal Malt Beverage (CMB) laws. Landen made a motion to have the city

attorney draft an ordinance updating the Glen Elder City Codes. Larry seconded the motion and the vote carried with five ayes.

**Clerk Report**

The clerk informed the council that Sarah Depew had been hired as the part-time office assistant. The clerk told the council the car wash has been open eight weeks and is averaging \$125.00 per week in sales. She mentioned sales taxes were being remitted to the state on the car wash sales and she had not yet received the fee/charge amount from the credit card company.

**Council Reports**

Barry said he receives complaints on code violations in town. He strongly feels the code officer needs to be called instead, it is the code officer’s job to handle these situations.

Dan asked about making an alternate outbound truck route using Railroad Street to Vallette Street, then onto Kansas Street. There was some discussion on the truck route options.

Darel discussed the compliance letter received from KDHE on the air quality and permits for CVA. He is not happy that KDHE came and did their inspection on a day when the elevator was not loading a train.

Darel received a letter of concern from Mr. Diers, a Rock Hill Trailer Park resident, upset about the fireworks display Wes Thompson has every year. Mr. Diers asks who assumes the liability for any property damage caused by the fireworks.

There was a heated discussion about the potential conflict of interests in matters concerning CVA for council members. The clerk reported the League said all council members must have on file their statements of substantial interest. They will then be able to vote on all non-contractual matters of the company they have substantial interest in.

Darel Stuart read his letter of resignation as Mayor, effective tomorrow September 8<sup>th</sup>.

With no other business, Sheila made a motion to adjourn the meeting. Larry seconded the motion and with five council members voting aye, the meeting was adjourned at 7:45 p.m.

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

Jerri Senger  
City Clerk