MINUTES

AMERICUS CITY COUNCIL

TUESDAY, APRIL 9, 2019

# CITY HALL

BUSINESS MEETING

7:00 PM

**CALL TO ORDER / ROLL CALL:** Meeting called to order at 7:00 p.m. by Mayor Dustin Wright. Council members present were HAMLIN, NUESSEN, DYE and MILLER. Council member HINRICHS arrived at 7:06 p.m. Also present were City Clerk Marcia Johnson, City Treasurer Kelly Siebert, City Attorney Steve Atherton and maintenance Nick Gadino. Police Chief Jody Meyers arrived at 7:13 p.m.

**VISITORS/PUBLIC COMMENT PERIOD:** Wanda Myers, Jessica Hopkins and Bob Karr. Carrie McElfresh arrived at 7:27 p.m.

**APPROVAL OF MINUTES:** *March 12, 2019* Moved by NUESSEN to approve the minutes of March 12, 2019. Motion seconded by DYE, 3-0-1 vote, HAMLIN abstained.

**BILLS TO PAY:** Moved by HAMLIN to pay the April bills in the amount of $37,603.97. Motion seconded by MILLER, 4-0 vote.

**REPORTS OF STANDING COMMITTEES:** MILLER reported from maintenance. The department has been working on the streets and mowing. Maintenance has also replaced the door on the women’s restroom at the park and are getting the park ready for the Easter Egg Hunt. With the recent rains the ditches are becoming clogged. Most of the issues are from the recent RWD #1 water project. The contractor will be back in town and maintenance will work with them to get the areas of concern addressed. MILLER asked for the policy on culverts, a copy of the ordinance was given to the council. Culverts are currently paid for and owned by the property owner. MILLER asked for the culvert policy to be on the May agenda.

City Clerk Marcia Johnson received from Lyon County Emergency Management a notice of siren system liquidation. City Clerk will check into the age of our current siren and the details of the sirens available for purchase.

NUESSEN reported from the Americus Police Department. Kenny Rodriguez resigned recently, NUESSEN questioned the council if they would like to fill the open position. To be placed on the May agenda.

**ADOPT THE AGENDA:** Moved by HINRICHS to adopt the agenda. Motion seconded by MILLER, 4-0 vote.

1. **FARMER’S MARKET:** *Jessica Hopkins (Market Manager) will be here to speak to the council on the Farmer’s Market proposal.* The Emporia Farmer’s Market was contacted by Healthier Lyon County. Healthier Lyon County is working on grant funds to increase healthy food access and farmers markets in rural areas. The grant would go towards equipment, canopy, banners, flags and being able to accept food stamp, debit and credit card, voucher customers. EFM is proposing to start up 2 satellite locations under the Emporia Farmers Market umbrella. Americus and Olpe have been identified as the first two locations. The funds would also allow for a staff person to manage the market. Vendors would have to pay a membership fee of $25.00. EFM would collect sales tax for those vendors who are not registered with the state. The proposed time for the Americus market would be on Friday from 5:00-6:30 p.m. The market would be in Olpe on Monday, in Emporia on Wednesday and in Americus on Friday. Vendors may participate in all three markets as often as they wish. The expansion of the market to the outlying communities is funded through a grant for the 2020 season. The first of June is a target date for starting the Farmer’s Market satellite sites, until June 1st the market will operate as they have in the past. The market would need a storage place for banners, table, canopy and equipment. Moved by HAMLIN to move forward with joining the Emporia Farmer’s Market. Motion seconded by MILLER, 5-0 vote.

Jessica Hopkins, Bob Karr and Wanda Myers left at 7:30 p.m.

Mike Phillips arrived at 7:34 p.m.

1. **MIKE PHILLIPS:** *Would like to speak to the council about the wall that joins his building with the city storage building.* Mike Phillips is asking the council for a party wall agreement allowing for Mike to use the North city storage building wall for a wall with his building at 608 Main using lag bolts. He plans to extend his building to the West bringing it out even with the West end of the city building at 606 Main Street. The plans would need to be approved by the city. Consensus of council to move forward with drafting an agreement.

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Mike Phillips left at 7:38 p.m.

1. **PARKS & RECREATION:** *Ball field*. The council received a proposal from David Devore with B&G Consultants. The proposal is for phase one – feasibility and preliminary report. The report would include to work with the city to determine the best site option from the two sites reviewed. On-site documentation of existing conditions, to include site conditions and restrictions, verification of dimensions and analysis of code related needs, parking/traffic and anticipated storm water implications. Develop drawings of facility based on any existing documents provided, or from on-site confirmation of critical dimensions. A site survey could be conducted as an additional service. Develop conceptual options for facility, to include multiple phases of development and conceptual renderings for fundraising activities. Create an Architect’s Opinion of Probable Cost to include construction costs for various concert options, General Contractor costs, Design and Geotechnical Fees, as well as review of timelines and impact due to construction cost escalation. Review concepts with the city, collect comments and suggestions and incorporate into final report. B& G will deliver plan drawings, conceptual images and report indicating cost and schedule scenarios to allow for projection of fund raising and suggestion of potential grant opportunities. Phase Two - Design and Engineering, once funding is in place B&G would then either create a new agreement or supplement the existing to provide additional services. Phase three - Construction Administration, with a contractor in place, BG would provide construction administration services to the city. Phase one proposed fee designed to cover staff time and consist of an hourly rate with a total not to exceed $4,000.00. The shelter at the Hackberry location (formally the swimming pool location) is a memorial for Herman Haber. If needed the structure could be relocated and remain a memorial. Moved by HAMLIN, pending discussion with Laverne that funds are available to approve phase 1 not to exceed 4,000. Motion seconded by NUESSEN, 5-0 vote.

Carrie McElfresh left at 7:49 p.m.

1. **CONDEMNATION:** *Inspection reports from City Building Official on properties to be condemned.*  The council was updated on the properties that have received letters indicating their property is on the watch list. City Building Inspector Larry Lewis has inspected and reported to the council on the following properties: 1010 Main, 1021 Main, 507 Elm and 410 Sycamore. The next step is to do a title search and pass a resolution to move forward with the condemnation procedure. Moon Title charges $75 per property, Lyon County Title charges $100 for a certificate of title. The owner of 410 Sycamore has reported to the city his intentions for the property. Moved by NUESSEN to move forward with a title search on 1010 Main, 1021 Main and 507 Elm. Motion seconded by HAMLIN, 5-0 vote.
2. **ORDINANCE 592:** *Dog regulations.* The council made a correction to section 5 to read: Every owner or harborer of a dog on the register as of January 1, 2020 may pay an annual fee of $5.00 or the lifetime registration fee of $25.00. The registration year shall be from January 1 through December 31 of each year. The fee shall be payable before March 1 of each year without penalty. Moved by HINRICHS to approve Ordinance 592 with the change to 2-201 (5). Motion seconded by NUESSEN, 5-0 vote.
3. **COLLEGE BLOCK:** *Update.* Steve Atherton updated the council on the status of the project. Steve and the revisor have put together a draft bill, it will not run this legislative session. Mark Schreiber will present it first thing next session. Meanwhile the council can do work on the process for giving the land away and the stipulations attached, once the land is free and clear the process can then move forward quickly.
4. **MOWING EXEMPT APPLICATIONS:** *Grass Mowing Release Form applications from Rex Kellum, Gary Drawbaugh, Roy Miller, Delbert Swift, Orvin Worcester, Richard Miller and Heath Maxson.* Two additional Mowing Release forms were presented from Americus Properties LLC. City Clerk has checked with other towns to see if they have a regulation on the minimum amount of land that is allowed to be hayed. More research will be needed. Most of the ground that is applying to be hayed are not a planted field for hay, it is just various grasses. The council had concerns with the rodents that the tall grass attracts, manly in the more populated areas. Moved by HINRICHS to approve Roy Miller, Delbert Swift and Heath & Lori Maxson with the stipulations that the hay is removed within 30 days of cutting and that the ditches are kept mowed. Motion seconded by NUESSEN. 4-0-1 vote, Dye abstained. Moved by NUESSEN for this to be the final year for (Orvin) Worcester, (Rex) Kellen and (Gary) Drawbaugh. A note is to be written on the application that this will be the final year the ground will be approved. Motion seconded HAMLIN. 4-0-1 vote, Dye abstained.

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Moved by HINRICHS to deny the grass mowing release forms (2) for Americus Properties LLC. Motion seconded by NUESSEN. 4-0-1 vote, Dye abstained.

Moved by NUESSEN to adjourn at 8:32 p.m. Motion seconded by HAMLIN, 5-0 vote.

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Dustin R. Wright, Mayor

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Lea Hamlin, Council President

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Nicky Nuessen

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Marie Miller

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Britney Hinrichs

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Jason Dye