

**APPROVED MINUTES  
CITY OF ESKRIDGE  
CITY COUNCIL MEETING  
August 27, 2018**

The regular meeting of the Eskridge City Council was called to order on Monday, August 27, 2018, by Mayor Dolly Mercer at 7:00 P.M. with the Pledge of Allegiance.

Roll call was answered by Council Members Tim Wines, Brett Kemble and Brad Hite. Council Members Tami Bagley and Justin Rush were absent.

Todd Luckman, City Attorney asked for a 10 minute executive session to be added to the agenda.

Council Member Justin Rush arrived at the meeting at 7:05 P.M.

Council Member Tim Wines moved, seconded by Council Member Brett Kemble to approve the Agenda with the executive session added. Motion passed unanimously.

Council Member Justin Rush moved, seconded by Council Member Brad Hite to approve the August 13, 2018 meeting minutes. Motion passed with a 3 to 1 vote with Council Member Tim Wines abstaining.

Council Member Brett Kemble moved, seconded by Council Member Justin Rush to approve additions to Appropriation Ordinance 1453. Motion passed with a roll call vote of all yes.

There were no public concerns or comments.

Austin Masters with Rural Development went over the letter of conditions detailing the loan information for the sewer project with the council.

Council Member Justin Rush moved, seconded by Council Member Brett Kemble to approve the execution by Mayor Dolly Mercer of the letter of intent to meet conditions and request for obligation of funds. Motion passed unanimously.

Council Member Brett Kemble moved, seconded by Council Member Justin Rush to approve the loan resolution in the amount of \$2,806,000.00. Motion passed unanimously.

Mike Bohn, Utility Superintendent gave his department report stating things at the water plant have gotten a little better due to some rain and the cooler temperatures and a gas leak was fixed south of town. Council Member Tim Wines asked if the zebra mussels were currently active in the lake and expressed his concern about them adhering to the new floating intake structure. Mike stated a chemical line with an injector was ran down the structure to prevent that.

Stephanie Graham, City Clerk gave the Council a monthly financial report and gave her department report stating the clerk computer broke down so a new one needed to be purchased. Stephanie also read an email to the Council where someone wanted to know if they could have a discount on permits for using nine kayaks at Lake Wabaunsee. The council discussed giving them a discount on the inspection fee.

Council Member Tim Wines moved, seconded by Council Member Brad Hite to approve charging the individual half of the inspection fee if they buy more than five kayak permits. Motion passed unanimously.

Mike Bohn presented two estimates for tires for the gas utility truck. Council Member Justin Rush moved, seconded by Council Member Tim Wines to approve purchasing the tires from Dover Small Engine for \$724.00. Motion passed unanimously.

Sherri Jacobson spoke about the Eskridge Fall Festival coming up on the last Saturday in October and requested the Council's continued donation.

Council Member Brett Kemble moved, seconded by Council Member Tim Wines to donate \$750.00 to the Eskridge Fall Festival. Motion passed unanimously.

Council Member Brett Kemble moved, seconded by Council Member Brad Hite to approve the transfer of 50 W Flint Hills Drive dock from Anderson to Boehle. Motion passed unanimously.

Stephanie Graham presented a letter to the Council from a lake resident requesting the City to take action on the dock at 84 Lakeview Circle which is dilapidated. The Council gave direction to have Becky Frank, Public Officer, send a letter to the owner of the dock requesting they repair it.

The Council reviewed the request to remove a dead tree on easement at 235 W Flint Hills Drive. The Council discussed they will take no action on removing any trees at the lake and any future requests will not be fulfilled.

Council Member Tim Wines moved, seconded by Council Member Brad Hite to approve the special event cereal malt beverage permit request for the street dance on September 2, 2018. Motion passed with a 3 to 1 vote with Council Member Brett Kemble abstaining.

Mike Bohn presented the Council with a drafted copy of an Emergency Water Supply Plan that he would like the City to adopt. After review the Council agreed they would like to adopt the plan.

Council Member Tim Wines moved, seconded by Council Member Justin Rush to adopt the Emergency Water Supply Plan as presented. Motion passed unanimously.

Todd Luckman presented resolution 082718 to the Council which states, a resolution to submit to the qualified electors of the city the proposition of levying a one percent retailers sales tax in the City of Eskridge for the special purposes of sidewalks, streetscapes, City Park property and for funding law enforcement needs within the city to be in effect for the period of ten years from first collection.

Council Member Brett Kemble stated he would like the resolution to exclude law enforcement as the revenue from the sales tax would all be paid to law enforcement and there would still not be a solution to pay for sidewalks, streetscapes, and city park property.

Council Member Brad Hite stated he would like just the opposite and exclude everything from the resolution except for the law enforcement. Council Member Justin Rush agreed stating he prioritizes law enforcement over the streets and sidewalks although it is still important.

Council Member Brad Hite moved to pass resolution 082718 excluding sidewalks, streetscapes, and City Park property. The motion died for lack of second.

The Council discussed their differing opinions on which the sales tax would be better suited for and also discussed the possibility of having the funds come from increasing the City of Eskridge water and gas rates.

Council Member Brett Kemble moved to pass resolution 082718 excluding law enforcement. Motion died for lack of second.

Council Member Brett Kemble moved to pass resolution 082718 as presented.

Council Member Brett Kemble asked Todd Luckman if a Council Member could vote by phone. Todd stated people can appear in the meeting by phone. Council

Member Brett Kemble exited the meeting and called Council Member Tami Bagley.

Council Member Brett Kemble returned to the meeting and withdrew his motion which was on the table and moved to pass resolution 082718 excluding law enforcement.

Mayor Dolly Mercer stated unless Council Member Tami Bagley was present for the discussion or was placed on a conference call the motion would not be recognized. Todd Luckman stated the Council Member had to be placed on a conference call in the meeting room.

Council Member Tami Bagley was called and placed on speaker phone. Todd Luckman read the resolution to Council Member Tami Bagley.

Council Member Tami Bagley seconded the current motion on the table which was to pass the resolution with law enforcement excluded. Motion failed with 2 to 2 vote with Council Members Justin Rush and Brad Hite opposing and Council Member Tim Wines abstaining and Mayor Dolly Mercer not getting to break the tie due to being a resolution.

Council Member Brett Kemble moved, seconded by Council Member Tami Bagley to approve resolution 082718 as written. Motion failed with 2 to 2 vote with Council Members Justin Rush and Brad Hite opposing and Council Member Tim Wines abstaining and Mayor Dolly Mercer not getting to break the tie due to being a resolution.

Mayor Dolly Mercer suggested putting a kennel in the back yard of City Hall for any animals that would be picked up by the Animal Control Officer with a video camera set up. The Council directed Mayor Dolly Mercer to get estimates.

Council Member Tami Bagley exited the meeting at 8:38 P.M.

Council Member Tim Wines suggested reevaluating the permit office contract since Dave Dunbar is not patrolling at Lake Wabaunsee.

Council Member Brett Kemble asked about cleaning up the coves from debris in the lake. The Council discussed how we have the lack of manpower and equipment to go out and clean up the coves. Mayor Dolly Mercer suggested having a clean-up day where everyone could help clean up the debris.

Council Member Brett Kemble moved, seconded by Council Member Tim Wines to go into executive session for the purposes of confidential data relating to financial affairs of trade secrets, corporations, partnerships, trusts, and individual

proprietorship with Lisa Cernich and John Waugh for 10 minutes at 8:55 P.M. and to reconvene at 9:05 P.M. Motion passed unanimously.

Meeting came back into session at 9:05 P.M.

Council Member Justin Rush moved, seconded by Council Member Brad Hite to approve the ground lease agreement with section 3 unmodified as requested by the tenants. Motion passed with a 3 to 1 vote with Council Member Brett Kemble abstaining.

Council Member Justin Rush moved seconded by Council Member Brad Hite to apply the three payments of \$180.00 that have been made on the current lease for June July and August towards the new lease agreed upon. Motion passed with a 3 to 1 vote with Council Member Brett Kemble abstaining.

Todd Luckman asked for direction from the Council for the McGivern property. Council Member Brett Kemble moved, seconded by Council Member Tim Wines to authorize Todd Luckman to file a lawsuit against McGivern and owners of the property for trespassing on City owned property and requesting the removal of every item on said property. Motion passed unanimously.

Council Member Tim Wines moved, seconded by Council Member Justin Rush to adjourn. Motion passed unanimously.

Meeting adjourned at 9:10 P.M.

Louella (Dolly) Mercer, Mayor

Attest: Stephanie Graham, Deputy Clerk

Read and approved this 10<sup>th</sup> day of September, 2018.

Louella (Dolly) Mercer, Mayor

Attest: Stephanie Graham, Deputy Clerk