

PLEASANTON CITY COUNCIL
Pleasanton Community Center – 819 Main Street
January 19, 2021
6:00 p.m.
REGULAR COUNCIL MEETING MINUTES

Attending members included: Council Members Jake Mattingley, Danielle Souza, Chris Ellis, and Aaron Portmann Also present were City Administrator Erica Kern, City Clerk Teresa Whitaker, and Jackie Taylor of the *Linn County News*
Absent: Ashley Toms

CALL MEETING TO ORDER: Mayor Frisbie opened the meeting at 6:02 pm with the Pledge of Allegiance. Mayor Frisbie stated that the health department for Linn County has relocated. The food pantry has been moved to the library.

- A. MAYOR'S COMMENTS/EXECUTIVE SESSION:** Mayor Frisbie asked if Kern had need for executive sessions. Kern requested she be allowed to read a statement to the Council and Mayor regarding a post she had on her personal Facebook account. After reading her statement, she requested a 10-minute executive session for non-elected personnel. She requested that Ashley Toms be allowed to attend via phone. Motion by Aaron for the same with meeting to resume at 6:16 pm. Jake 2nd. Motion carried 3-0. Councilwoman Toms is attending via Zoom and did not vote. Meeting ended with no action taken. Jake motioned for a 10-minute executive session for legal purposes to include Brandon McGinnis with meeting to resume at 6:26 pm. 2nd by Aaron Portmann. Motion carried 3-0. Executive session ended with no action taken.
- B. CITY ADMINISTRATOR REPORT & FINANCIAL OVERVIEW:**
Kern stated that there is a CUP hearing on the 27th of January at 7:00 pm. Requests for bids for dam inspections have been sent for this year's dam inspections.
All the CDBG money for CV relief will be dispersed if the last application on the agenda is approved.
The sidewalk project is moving right along on 10th Street and we should be seeing some movement soon.
The financials were presented.
Danielle stated that Burton created a social media policy to be presented at the council. Jake stated Erica gets hammered day in and day out. He then stated that the men in the community will go to the city and yell at Nancy and Teresa but won't have the guts to come to city hall.
Opening city hall was discussed but no decision on an opening date was made.
- C. APPROVE CONSENT AGENDA:**
1. December 21, 2020 Regular Meeting minutes
 2. Regular Council Disbursements - **\$19,256.52**
 3. Payroll Disbursements– **\$37,823.16**
 4. Mandatory Disbursements -**\$43,444.23**
- Motion by Jake. 2nd by Danielle. Motion carried 3-0.
- D. PUBLIC SPEAKER IDENTIFICATION:** Mayor Frisbie- Jake wanted to address the members of the audience. He stated a lot of the talks have been in executive session. Jake stated that Brandon approached the council about 2 years ago in a public council meeting. He offered the city about \$400,000 to \$500,000 dollars for the land. The city contacted KDHE and got their blessing and then a feasibility study was done. It would have cost upwards of 3 million dollars to put infrastructure for sewer and water. Brandon came back with the idea that he put in the sewer and water. Jake stated the city needs housing and we have been trying to get businesses and houses in the city. We have a business that is willing to put the money into the development and it becomes a win for the city.

Clerk's note: The following is a brief summary of some of the questions that were asked.

Rachelle Thomas- Ms. Thomas asked if the council would answer any questions. Jake said he will answer any that he can. She asked if the community knew anything about this before December 22, 2020. Jake stated that all discussions were in executive session. Rachelle asked how much money was offered. Jake stated that the offer was for \$50,000.00. Thomas asked if any other offers were entertained. Jake stated no other offers were entertained because no other offers were given in the last 10 years since he has been on the council. Rachelle Thomas asked why the LLC was created the day after the deal was struck. Jake stated Brandon had no reason to create the LLC until the deal was struck. Jake stated the contract can be reputed at any time in the first 18 months if Brandon fails to perform. Rachelle asked about our drinking water and wildlife that would be affected by the development. It was stated by the Mayor that there will be and HOA or other committee that will oversee the development. Timelines were discussed as well as the groundwork that has already taken place before the deal.

Rachelle addressed the council about messages she sent to the council. She stated her displeasure about the lack of response from the council.

Stephanie Ferraro- Ms. Ferraro introduced herself as a wildlife advocate and stated her husband is also involved with wildlife in his job. She read a letter to the council and began asking questions. Jake addressed the questions about the walk-in hunting being terminated. Stephanie asked if the council would be willing to reenroll in the WIHA program. The question of the lake level was asked. Aaron stated that the recreational activities on the lake should not affect the water level. Burton and Kern addressed the TOC removal ratios. They are currently too low now because the water is too clean and stirring up the lake will improve those scores. Stephanie asked if there was a greenbelt or easement to protect the lakeshore. Burton

explained that there is a CFAP program that will facilitate a 50-foot easement around the entire lake. Stephanie requested transparency to the public through the remainder of the process as well as public input. Burton stated that many of the questions Stephanie has will be addressed after the transfer of the land. He explained that we are only in the contract stages right now, not in the planning stages. He stated there will be many meetings on the horizon and will be discussed when Brandon presents his plans. Stephanie closed by encouraging the council to invite the public to actively participate.

Mike Hayes asked why the deal was kept under wraps. Jake stated again that everything that had been done in executive session to protect Brandon McGinnis' privacy and rights.

A member of the audience asked why the sewer and water had to be put in place. He went on to say that at Sugar Valley, the homeowner's put in the wells and septic. Burton explained that the city has an obligation to put in utilities. It was asked if we are going to put this out for bid. Jake stated it will not be put out for bid. Jake stated that just to run encasements under the highway would be well over a quarter of a million dollars. The options for wastewater lagoons were discussed and holding tanks will not be put in out there.

Steve Ellis asked if the developer could sell his interest. Burton stated it can only be transferred with written permission of the city. Jake stated he knows this subject is contentious, but he loves this city, and he believes this is a great thing.

Danny McCullough stated this is needed by the city because if we do not, the city will fail. He went on to say that nobody else has jumped out to offer to build houses. He continued saying the council gets beat up all the time and he does not understand how they are even sitting there still. Burton stated the hope is to create a new tax base and then more businesses.

Someone mentioned that the people that buy the houses will not spend money here because they work in the city. She went on to say that the houses will be too high priced at \$300k per home. Aaron stated that he drives to the city for work but shops in Pleasanton when he can. Brandon McGinnis shared that the cost per square foot to build is about \$150. That drives up the cost. He continued to say that he is in touch with engineers and KDHE. There is a current study on greenspace because he does not want to do anything to jeopardize the drinking water. There are watershed areas on the lake that will not be developed to protect those areas. They are evaluating the proper placement of the lagoons. The placement of roads and other infrastructure are being discussed and the community will be involved in the process. Brandon stated his engineers felt that breaking ground in July for the first home is probably too aggressive. Brandon said he has reached out to the neighbors in the area in the last 2 years and stated that he has talked about it to people about the development.

E. COUNCIL MEMBER DISCUSSION:

F. CITY ATTORNEY: Burton Harding-

G. CHIEF OF POLICE- Tristan gave a report of the activity for the year. There were 134 arrests for 2020. There were 234 reports for the year. There were 10 arrests in December and the average per month is about 14. Burton asked about the arrests and the people that were taken to jail. Danny asked why the people were not taken to the jail. Tristan stated that he was told the jail was overpopulated. Out of 11 arrests this year, only 3 went to jail. 7 of those were drug arrests and 3 had guns in their possession. In the first 3 weeks, we have written 2 tickets for possession of drugs and have seized 2 vehicles. Last year, we had 82 drug arrests. In 2019, we only had 46 drug cases. We have seized approximately 8.5 lbs. of marijuana. DUI cases have dropped in 2020.

H. CODES / ANIMAL CONTROL: Sandy Atkisson- nothing to report.

I. PLANNING & ZONING: Erica Kern- CUP hearing on the 27th.

J. PUBLIC WORKS: Casey Osborne – Lights have been taken down. The crew has been skeleton due to sickness in the last few weeks. They have been rebuilding equipment at the water plant. Danielle asked about the success of the dump site we created for the public. Kern stated it seemed to be a help to the city crews and the public.

K. NEW BUSINESS:

5. Discuss/Consider approval of estimate from CDL Electric for replacement parts on Whelen siren in the amount of \$4,252.00. Motion to approve repair the siren at the city park by Jake. 2nd by Aaron. Motion carried 3-0.
6. Discuss/Consider approval of contract with KDOT for Phase2 of the Transportation Alternative Project. (Project No. 54-TE-0479-02). Motion to approve by Jake. 2nd by Danielle. Motion carried 3-0.
7. Discuss/Consider estimate from Lloyd Harold LLC for repairs to the 3rd Street lift station in the amount of \$7,479.00. Motion to approve bid by Danielle. 2nd by Aaron. Motion carried 3-0.
8. Discuss/Consider electrical bid for community center from Odd Job Heroes. Kern stated she reached out to several contractors but most either did not return her call or were too busy. Danielle will have to abstain. Ben explained the bids to the council. He stated he will fix what is wrong in the community center. The second bid is for the old Cox building. He described it as a 'train wreck'. Jake motioned to approve Odd Job Heroes to do the work at the community center for \$3210.00. Aaron 2nd. Motion carried. Jake then motioned to have Odd Job Heroes do the work at the old Cox building for \$2472.00. 2nd by Aaron. Motion carried.
9. Discuss/Consider approval of CDBG-CV application from JST Services for up to \$5104.91. Motion by Jake to approve the CDBG CV application for JST Services in the amount of \$5104.91 for overhead expenses. 2nd by Aaron. Motion carried 3-0.
10. Discuss/Consider bids for police car. Tristan stated he called 12 dealerships and only got 4 back.
 - Olathe Ford - \$38,910.00 Ford Explorer ready for the road but will need about \$1500 additional improvement added.
 - Cox Motor - \$38,944.00 Ford Explorer ready for the road but will need about \$1500 additional improvement added.
 - New Century - \$28,542.00 not road ready Charger
 - \$31,884.00 not road ready Durango

Davis-Moore in Wichita - \$27,482.74 Charger
\$30,593.21 Durango
It will cost approximately \$4000.00 to upfit the Dodge vehicles.

Danielle asked how long it will take to get the car. Tristan stated between 2 and 4 months. Tristan explained the positive and negatives of each vehicle. Tristan stated to remain financially sound he would choose the Durango. Kern stated we need to look at our local business despite the numbers because they are here and support our community. Jake asked that we table the item. He stated he is in favor of shopping locally but there is a big difference in the prices. Tristan also investigated purchasing body cameras. He found 5 cameras for \$599.95 on eBay. He also found body cameras at Digital Ally for about \$596.00 each. Osawatomie is offering used body cameras to the city at a reduced price. Motion to approve purchasing 3 body cameras from Digital Ally for \$596.00 each. 2nd by Danielle. Motion carried 3-0.

11. Discuss/Consider approval of contract for auditing services for 2020 financials for \$5,945.00. Motion to approve by Aaron. 2nd by Jake. Motion carried 3-0.
12. Discuss/Consider tree trimming bids. Motion to approve Maker's Tree Service in the amount of \$3,800.00 by Danielle. 2nd by Aaron. Motion carried.

Danny McCullough addressed the council about the senior center for the meals. The current building is in bad shape. Danny approached the council about using the new community center and enter a long-term contract between the city and county. Jake expressed his approval of the idea. Danny will have the center manager contact Erica to get things rolling.

At the end of the meeting, Kern stated that Ashley Toms submitted her resignation. She will finish out the last two meetings. She then went on to say that she accepted a position at a CPA firm in Girard. She thanked the council for the chance and wants this city to succeed. Stetson stated he has been after her to quit for 2 years but the council was a lot of the reason she stayed.

L. UNFINISHED BUSINESS:

M. REMINDERS:

N. ADJOURN:

Meeting adjourned 8:35 pm

Mayor-Mike Frisbie

City Clerk-Teresa Whitaker