

PLEASANTON CITY COUNCIL
City Hall Council Chambers – 1608 Laurel Street
July 01, 2019
6:00 p.m.
COUNCIL MEETING MINUTES

Attending members included: Mayor Cynthia Frisbie, Council Members Aaron Portmann, Ginger Neal-Cox, Brandon Johnson, and Jake Mattingley. Also present were City Administrator Erica Kern, Assistant City Attorney Burton Harding, and City Clerk Teresa Whitaker. Also present was Barbara Proffitt of *the Linn County News*.
Absent: Chris Ellis

CALL MEETING TO ORDER: Mayor Cynthia Frisbie called the meeting to order at 6:00 pm and began the meeting with the Pledge of Allegiance.

A. MAYOR'S COMMENTS/EXECUTIVE SESSION:

Erica requested a 10-minute executive session for legal reasons. Aaron motioned to approve. Brandon 2nd. Motion carried 3-0. Regular meeting to resume at 6:12 pm. Jake joined the meeting at 6:07 pm and went into the executive session. Executive session ended with no action taken. Kern requested a 10-minute executive session for non-elected personnel. Aaron motioned the same. Ginger Neal-Cox 2nd. Motion carried 4-0. Meeting to resume at 6:23 pm. Executive session ended at 6:24 pm with no action taken

B. CITY ADMINISTRATOR REPORT & FINANCIAL OVERVIEW:

Erica Kern stated she has copies of the dam inspections on the west side of town from the engineer. She told the Council that nothing was in the report that was surprising to the city. Additionally, she and Joe Whitaker had gone with the engineer to look at the dams.

There was a request from Danny McCullough to use ATV's or UTV's at the fishing tournament this weekend July 6th. Aaron suggested a sign to show it isn't allowed all the time and is only allowed by the event coordinator. Brandon motioned to approve for one time and only for the event coordinator. Aaron 2nd. Motion carried 4-0.

The tile has been ordered for the community center and it has arrived.

Several people have asked about swimming at the lakes. Kern stated we know it is not allowed at the East lake, but it is allowed on the lower lakes. Kern stated we need to decide how to address where they can swim. Brandon stated it should be prohibited unless there is a beach area. Kern stated it makes it difficult to enforce if we don't have it posted. Brandon stated that the dam is not safe to jump off and it is slick. After much discussion, a motion by Jake to not allow any swimming at the West Upper or Lower or at the East Lake. Brandon 2nd. Motion carried 4-0. Burton Harding stated there needs to be an update to the codes as well as signage. Jake also reminded Kern that there needs to be a cover on top of the dam, so nobody falls in.

The Commercial Tax Reimbursement program is being utilized by Jesse Secrest. He submitted two parcels for reimbursement. We have already reimbursed for the building, but the lot had no comparison. The Council agreed that Secrest needs to provide the valuation before improvements to pay the difference.

The drug screening for pool employees took place last week. A handful of guards were absent due to other obligations and will be screened at a later date. All guards that did the testing passed.

KDOT TA Grant update: Surveying is finished, and design team is working on the preliminary designs. It is slated to be done around mid-July. After that, they will finish up the designs and discuss pricing. Kern is pleased with BG Consultants as they have handled it so far with minimal work on her part.

Dogs are currently required to be registered after 12 weeks but the current policy does not address breeders and their litters. Review will take place.

On the 4th of July, the celebration will be held in the park. Plates will be sold, hamburgers will be served, games and bounce houses will be there. On Saturday, the fireworks will be held and there will be the fishing tournament.

Kern encouraged all Council members to register their dogs.

APPROVE CONSENT AGENDA:

1. June 17, 2019 Special Meeting minutes

2. Regular Council Disbursements – \$156,180.07
3. Payroll Disbursements – \$24,889.67
4. Mandatory Disbursements - \$28,183.06

Motion to approve by Aaron. Jake asked about the bill paid to Harold Cunningham for moving the 5th wheel. Jake then 2nd the motion. Motion carried 4-0.

PUBLIC SPEAKER IDENTIFICATION: Mayor Cynthia Frisbie

Request by Karen and Thomas Greseszak-relinquish alley while retaining easement 601 E 9th Street. Kern reminded the Council that there was a request in the past for an alley and it was denied. Burton Harding read the current policy that it is the position of the city not to vacate alleys unless it is in the interest of the city to do so. No action was taken.

C. COUNCIL MEMBER DISCUSSION:

Council member Ginger Neal-Cox there was a rat in one of the outhouses. Also, there is a fish feeder on the curve that looks beat up. Joe Whitaker stated it needs new floats. The floats just came in last week and it will be repaired. Ginger asked what the curfew is for fireworks. Teresa Whitaker read the current codes from the codification book.

Aaron asked about the prepay for gas pumps at Casey's for drive-offs. Casey's stated it is a town specific thing to have it moved to pre-pay. Burton asked what the policy was for drive-offs. The City does not currently have a policy for pre-pay. Burton stated he will do the research to see if that can be the position of the city and will see if he can draw up a resolution. Jake suggested talking to Casey's corporate offices to see their position. Burton stated it isn't a good idea to tell a business how to do business. We currently have drive offs due to being so close to the highway. Aaron stated there are no cameras on the pumps. Harding stated that even if Casey's says they don't want to prosecute, it isn't their call.

Jake asked if all the picnic tables are out of the lake and asked if they can be secured somehow. Joe Whitaker stated that some are secured and some are not.

D. ASSISTANT CITY ATTORNEY: Burton Harding- nothing to report.

E. CHIEF OF POLICE: Tristan Snyder- He presented his 5 page report. June 121 calls, 5 assist, 6 arrests. 1 DUI, 2 drug arrests, 1 arrest for criminal trespass and 2 for warrants. A 5th wheel was seized for felony possession of prescription meds. Year to date numbers were presented. A total 1721 calls/activities for the year. Totals were compared to last year. Arrests this year is 64 so far and last year there were 86 for the year. Tristan compared 2014-15-16-17-18 to this year. There was a kidnapping this year and a rape. Year to date we have had 20 felony arrests which is more than 2014-2016 combined. At this rate, we will have about 900 calls more than 2018. There have been 133 call outs since the 1st of the year. Year to date there have been 19 search warrants. In 2018, we synced 20 kids and this year we have already synced 15. Jake asked if this is because we had a spike in crime. Tristan believes that it is because the community trusts them and are reporting to the officers when they see activity. Jake asked if we could prosecute DUI in the city. Harding stated there is a definite advantage to doing it because it keeps fines for the city. He feels it is worth the city exploring and keeping the money in the city. He stated he sees no reason why the city can't prosecute DUI's in the city. Kern stated we just need to know when they plan on implementing this as it will cause more work. Jake asked what steps would be taken to find out the cost advantage. Burton stated he would want to look at the current list of misdemeanors. He gave a brief summary of potential cost items.

F. PLANNING & ZONING: Erica Kern- Kern will bring the recommendation from P&Z hearing that was held on the 19th of June.

G. PUBLIC WORKS: Joe Whitaker- New water meter was installed at airport hangar. Thistles were removed from the backside of Stegge. Mowing is being done. Banners on highway signs are hung. Spreading of rock at compactor was done. Cold mix patching is being done. A water leak at 13th and Locust was repaired. Animal Control picked up some free kennels with the help of public works.

H. NEW BUSINESS:

5. Discuss/Consider Resolution 345 ordering a nuisance abatement-demolition of property 907 Sycamore Street. Motion to approve by Jake Mattingley. 2nd by Aaron Portmann. Motion carried 4-0.
6. Discuss/Consider Resolution 346 ordering a nuisance abatement-repair nuisance conditions at 355 Laurel Street. Motion to approve by Jake Mattingley. 2nd by Brandon Johnson. Motion carried 4-0.
7. Discuss/Consider Resolution 347 requesting a hearing for nuisance abatement 303 E. 13th Street. Motion by Jake to approve with the date of the hearing to be changed to the 3rd of September, 2019. Ginger Neal-Cox 2nd. Motion carried 4-0.

8. Discuss/Consider Resolution 348 requesting a hearing for nuisance abatement 507 Center Street. Motion by Aaron to approve with the date of the hearing being changed to September 3, 2019. 2nd by Jake. Motion carried 4-0.
9. Discuss/Consider request from Danny McCullough to use UTV/ATV's during fishing tournament.
10. Discuss/Consider employee personal day policy. Motion by Brandon Johnson to approve. 2nd by Ginger Neal-Cox. Kern asked for clarification on when it is effective. Council stated from this day forward. Motion carried 4-0
11. Discuss/Consider ballfield rental agreement. Tabled for more revisions. Jake asked if we have talked to Commissioner McCullough regarding moving the compactor to a different location.
12. Discuss/Consider CRRRP application for property located at 407 E. 14th Lot 3- Owner Roy D. Boner (deceased) c/o Jennifer Garwood. Motion by Jake to approve the application. 2nd by Aaron. Motion carried 4-0.
13. Discuss/Consider approval of ride-along request for police department. Motion to approve by Jake Mattingley. 2nd by Brandon Johnson. Motion carried 4-0. Kern will double check with our insurance carried regarding liability
14. Discuss/Consider CTI reimbursement for separate parcel at Cox Motors.
15. Discuss/Consider waiving pool party fees for three (3) Pleasanton Ball Association.
 - a. Valley Rangers 14th of July
 - b. USD 344 fall league 21st of July
 - c. Pleasanton Ball Association. 20th of July
 Motion to approve all requests for waiver by Jake. Motion 2nd by Aaron. Motion carried 4-0.
16. Discuss/Consider policy for residential plumbing issues. Kern said she will touch base with Burton Harding over this. Tabled.
17. Discuss/Consider nuisance abatement of 501 Sycamore. Brandon stated he will abstain from vote. Jake asked what is going into Pumping Pete's old building. Kern stated it is a real estate, title insurance company. Jake motioned to approve nuisance abatement. 2nd by Ginger. Motion carried 3-0 with Brandon abstaining.
18. Discuss/Consider Ordinance 2035 Sunday sales of alcohol. Motion to approve by Jake. 2nd by Ginger. Motion carried 4-0.
19. Discuss/Consider nuisance abatement Resolution 349 for 424 Main. Jake motioned the same with the date to be changed to September 3, 2019 for the hearing. 2nd by Aaron. Motion carried 4-0.

I. UNFINISHED BUSINESS:

J. REMINDERS: July 4th Free Swim at the Pool July 6th fireworks

K. ADJOURN:

Meeting adjourned at 7:35

Mayor-Cynthia Frisbie

City Clerk-Teresa Whitaker