

**PLEASANTON CITY COUNCIL**  
City Hall Council Chambers – 1608 Laurel Street  
**August 5, 2019**  
6:00 p.m.  
**COUNCIL MEETING MINUTES**

Attending members included: Mayor Cynthia Frisbie, Council Members Chris Ellis, Jake Mattingley, and Ginger Neal-Cox. 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:** Aaron Portmann, Brandon Johnson.

**CALL MEETING TO ORDER:** Mayor Cynthia Frisbie called the meeting to order at 6:12 pm after the Budget hearing.

**MAYOR'S COMMENTS/EXECUTIVE SESSION:** Mayor Frisbie requested a 5-minute executive session for non-elected personnel at 6:14 pm. Jake Mattingley motioned the same. Chris Ellis 2<sup>nd</sup>. Motion carried 3-0. Meeting to resume at 6:19 pm. Executive session ended at 6:19 pm. Mayor Frisbie and City Administrator Erica Kern recognized City Clerk Teresa Whitaker on her recent achievement of CMC. Chris motioned to give Teresa a \$1.00 hour raise effective this payroll. 2<sup>nd</sup> by Jake. Motion carried 3-0. Erica requested an executive session for legal purposes for 15 minutes. Chris motioned the same. Ginger 2<sup>nd</sup>. Motion carried 3-0. Meeting to resume at 6:35 pm. Executive session ended at 6:36 pm with no action taken. At 6:38 pm, Mayor Frisbie requested a 15-minute executive session for trade secrets with meeting to resume at 6:53 pm. Jake motioned the same. Chris 2<sup>nd</sup>. Motion carried 3-0. At 6:54 pm, the executive session ended with no action taken

**A. CITY ADMINISTRATOR REPORT & FINANCIAL OVERVIEW:**

Kern updated the Council regarding demolitions going on in town. There are currently 6 properties going through the demolition process.

The Council had asked Kern previously to post the registered offender list on the city Facebook page. Kern has reservations with putting it on as she believes it could cause issues with those that are compliant. There have been issues with offenders being harassed. She told the Council that the newspaper has printed a very recent article on the subject, and she didn't feel that it needed to be on the city Facebook page.

Kern asked the Council to think about how many days someone can camp at the lakes and how much time should pass before they come back. She reminded the Council there are still 2 chapters to review in the Codes book and she would like to get that done at the next meeting. Kern also stated that the employee handbooks needs to be addressed.

The dam inspection was complete and then Kern received an email from the State saying there needed to be work done on the dam. Jason Hoskinson of BG Consultants stepped in and told Kern not to panic. He is in contact with the state of Kansas and believes some of their numbers are wrong.

Kern reminded the Council she will be out of the office the rest of the week for the fair.

**B. APPROVE CONSENT AGENDA:**

1. July 15, 2019 Regular Meeting Minutes
  2. Regular Council Disbursements – \$121,321.37
  3. Payroll Disbursements – \$49,306.26
  4. Mandatory Disbursements - \$38,659.46
- Motion to approve by Jake Mattingley. 2<sup>nd</sup> by Ginger. Motion carried 3-0.

**C. PUBLIC SPEAKER IDENTIFICATION:** Mayor Cynthia Frisbie

None present.

**D. COUNCIL MEMBER DISCUSSION:**

Council member Ginger Neal-Cox stated she had been asked about the cats in town and the feces they are leaving behind near the senior center. Cynthia Frisbee stated that she has been working with Danny McCullough on this. Danny stated he will re-gravel the area where the cats are hanging out near the senior center. Cynthia stated it looks like they have graveled the area a little. Frisbie then reiterated that we do not regulate cats, only dogs. Kern stated she talked to the County about the gravel as it was put in the wrong place. She then went on to explain that if we had an actual facility, we could take part in the trap-neuter-

release program. Sandy Atkisson explained how the program works and it will not be an immediate fix. Frisbie asked Erica to be back in touch with the County to see what they can do about putting more gravel down.

Jake asked about the camping and the issues we are having. He asked if the people are sleeping in the shelter houses. Tristan told them if they are in there, they must leave. Tristan then said he has been telling people 72 hours and they must leave. Cynthia asked how much time must pass before they can come back. Jake suggested putting a fee on camping or a deposit so they must register at City Hall. Kern stated we need to be showcasing our lakes and we need to make them safe for everyone. Kern then talked to the Council about camping spots at the lake.

Jake then mentioned the road between Laurel and Cedar (Sycamore) about limbs out there that need to be picked up. There are also potholes that need to be addressed as well as on 8<sup>th</sup> Street. He stated it might be a road we would want to temporarily vacate.

On Main Street, the hydrant parking lines need to be repainted. Kern stated it is already on the list.

- E. ASSISTANT CITY ATTORNEY:** Burton Harding-The fence issue around pools we talked about at last meeting has been researched. He has copies of other city ordinances and he can't find anywhere that the way it reads is that it means any pool, not just in-ground pools. He suggested the Council could just change the definition of 'pool' if they want to exclude the above ground pools. Jake asked if we can just change the height of the pool water depth. He then explained that a ladder that can be removed or a deck gate that can be locked will make the pool secure. Burton then requested a 10-minute legal session at 7:26 pm. Motion by Jake for the same. 2<sup>nd</sup> by Chris. Motion carried 3-0. Meeting to resume at 7:36 pm. At 7:38 pm, the executive session ended with no action taken.
- F. CHIEF OF POLICE:** Tristan Snyder- A report was available. July had 263 calls. 12 arrests, 10 tickets, and 106 other traffic stops. 2 of the arrests were drug arrests, 5 DUI's, and aggravated battery. 4 arrests this month so far. The vehicle burglaries have ended in an arrest of the subject in Olathe. This year there have been 18 DUI's to date.
- G. PLANNING & ZONING:** Erica Kern-Erica looked at the Ordinance that the Council had tabled last meeting. She explained the Ordinance and the Council reviewed it. The living in Commercial Zoned areas was discussed in length. Kern stated that in another city, they may allow living in a commercial zone, but it needs to maintain the look of a business. Harding stated that the city can get into trouble evicting people in areas that already live there but they can certainly put restrictions on how it can look, etc. The Mayor asked for a motion. Jake made a motion to approve Ordinance 2035. Ginger 2<sup>nd</sup>. Motion carried 3-0.
- H. PUBLIC WORKS:** Joe Whitaker- The mowing is still going on and we are also mowing lots for 10-day notices. There was a water leak on 14<sup>th</sup> Street which turned into 3 leaks. The line will have to be replaced. Hawkins, our chemical company, was here to discuss the water taste and odor issues. Joe stated we are not the only ones having issues. The State was here to inspect all the sewer lift stations and lagoons. It went ok apart from the fence at the lagoons. Joey and Jason went to the water/sewer school in Lawrence. Jason has been doing a great job at water plant duties. Joey took his Class 2 test. Casey Osborne thanked the Council for the improvements at the water plant. The west clarifier was fixed and has been working great up until the last few weeks. There is a sprocket that is giving him issues. The manufacturers believe it might not be installed correctly but they will be here to fix it tomorrow. Casey stated the main cause of the taste and odor is manganese. It is caused by all the rain we have gotten. The mineral that causes the issue is natural to the area. The clarifier messing up is certainly not helping. Casey has been in contact with many agencies and has been told that it is a state-wide issue. There are no safety issues, just angry people. The chemical companies have also suggested treating the lake more often. Casey believes that the repairs to the clarifier should be under warranty. Cynthia stated she appreciates the transparency with KDHE. Kern stated she immediately called KDHE when the issue began. She stated that water is a lot different than power as people consume water. She then stated she has been trying to figure out a way to educate the public. Kern asked for any suggestions from the Council. KDHE has a public access area on their website. Casey then went on to talk about the filter situation. He stated they are better than they have ever been.
- I. NEW BUSINESS:**
5. Discuss/Consider 192 Palm abatement. The Council reviewed the photo. Jake motioned to approve the abatement of the property. 2<sup>nd</sup> by Chris Ellis. Motion carried 3-0.
  6. Discuss/Consider 210 W 13<sup>th</sup> abatement. Motion to approve the abatement by Jake. 2<sup>nd</sup> by Ginger. Motion carried 3-0.
  7. Discuss/Consider time capsule disposition. Kern stated we need to get County permission to knock the pillar down. We also need to decide when to do it. We also need to decide when to bury our new time capsule for our Sesquicentennial. Joe believes that he can get it out without causing too much damage. Kern will tell the County that it is on their property. She encouraged the Council to give their input on what will be in the new capsule. Kern will ask for community support for what will be in the new capsule.

8. Discuss/Consider renewal of maintenance contract with Utility Service Co/Suez for water tower \$7,141.16 (no change in price). Motion to approve by Jake. 2<sup>nd</sup> by Chris. Motion carried 3-0.
9. Discuss/Consider donation to Flag Football (written request). Kern explained we get a grant yearly from the County in the amount of \$800.00. No-one requests the money until now. Cynthia stated the amount should be less than the full amount. Kern stated some local businesses have donated. After much discussion, Ginger motioned to approve a \$600.00 donation to flag football. 2<sup>nd</sup> by Chris. Motion carried 3-0.
10. Discuss/Consider allowing certain signers to execute contract with Secretary of Transportation for TA Grant. Motion by Chris. 2<sup>nd</sup> by Jake. Motion carried 3-0.
11. Discuss/Consider Burton Harding's contract. Tabled
12. Discuss/Consider approving recommendation from Planning and Zoning committee. See above.

**J. UNFINISHED BUSINESS:**

**K. REMINDERS:**

**August 10<sup>th</sup>** - last day pool is open. Free swim all day and free pool party that night.

**L. ADJOURN:**

Meeting adjourned at 8:33 pm.

---

Mayor-Cynthia Frisbie

---

City Clerk-Teresa Whitaker