

PLEASANTON CITY COUNCIL
City of Pleasanton
City Hall 1608 Laurel Street
August 17, 2020
COUNCIL MEETING MINUTES

Attending members included: Mayor Mike Frisbie, Council Members Aaron Portmann, Jake Mattingley, and Brandon Johnson. Also present were Barbara Proffitt from Linn County News, City Administrator Erica Kern, and City Clerk Teresa Whitaker.
Absent: Jake Mattingley, Ashley Toms, Burton Harding-City Attorney

CALL MEETING TO ORDER: Mayor Mike Frisbie at opened the meeting at 6: pm with the Pledge.

- A. MAYOR'S COMMENTS/EXECUTIVE SESSION:** Mayor Mike Frisbie stated we have no action planned for annexation tonight. He went on to speak on annexation and the impact on the owners involved as well as the cost to the city. General Pleasanton days will not be held this year and Mayor Frisbie explained the reasons regarding the cancelation by the Chamber of Commerce.
City Hall has been closed to the public since about March 2020 because there are few employees working for the city. The Mayor stated that people have been having a difficult time reaching city hall employees. The Mayor stated if anyone is having a difficult time reaching anyone, please reach out to him again.
- B. CITY ADMINISTRATOR REPORT & FINANCIAL OVERVIEW:**
Erica Kern said that 1701 Laurel has some building maintenance issues including HVAC units. The tenants have replaced all the flooring over there and have had some plumbing issues. The north side of the building has a roof leak. There will be some more expenditures.

The community center upkeep regarding cleaning needs to be done at least once a month. There is a punch list of things that still need to be done and Kern named a few of them. She will have a copy of the punch list for the council at the next meeting.

Kern stated the last month has been spent working on grants. She has been working with Susan at the Regional Planning Commission. There have been 10 applications submitted and one was ineligible. Among those, 4 of them are complete and ready to be approved. 5 others will probably pass the criteria, but we are currently waiting on additional paperwork. Kern provided a copy of the business owners to the council. Kern explained how the motion needs to be made if the council chose to approve the recommendations. Jake asked if each business is going to be receiving a fair and equal share based on their qualifications. Kern stated they would. Motion by Jake to award \$25,000.00 to Food Fair for operating and payroll expenditures. 2nd by Brandon. Motion carried 3-0.
Motion by Aaron to award Tonya Umphenour-cosmetologist \$2,652.18 for working capital expenses. 2nd by Jake. Motion carried 3-0.
Motion by Jake to award Rick's Tire and Lube \$20,000.00 for working capital and payroll expenditures. 2nd by Brandon. Motion carried 3-0.
Motion by Brandon to award Eastwood Appliances \$10,000.00 for working capital. 2nd by Aaron. Motion carried 3-0.

The CARES act funding trickled down to the county in the form of the SPARKS act. Linn county was awarded 1.97 million dollars. Kern went on to explain how Linn county has chosen to allocate funds. Kern stated that the city has submitted over \$30,000.00 in expenses. The second part of the grant is determined from August 1 to the end of the year for direct aid.

Kern spoke with Jason of BG and Susan of the SEKRPC regarding street improvements. There would have to be a preliminary engineering report and a cost of over \$6,000.00. Kern explained the grant options and explained that we cannot afford to do it this year. She told the council we need to be thinking if we want to do this next year.

The 1st phase of the KDOT TA grant is just about ready to be bid. The county infrastructure funds have been being used to cover engineering costs to date. Around October, we will be doing sidewalks.

There was an issue with a lift station. Two pumps were damaged, and we had to have the lift station pumped down in the meantime. The cost of pumping was roughly \$24,000.00. Kern stated there has been a claim filed with the insurance company. She showed pictures of the debris that was caught up in the pumps. Motion by Jake to approve payment of \$24,250.00 to Shadden Septic for pumping out the 14th Street lift station. 2nd by Brandon. Motion carried 3-0. Brandon asked if we had a way to pump it ourselves. Kern stated we did not but she and Casey had been looking at alternatives.

Kern explained that there are several areas on the financials that look as if we are over budget. She explained that the current year's budget was adjusted when we did the 2021 budget and that has decreased our anticipated expenses for this year.

Kern asked the council if they want to do a Q & A session first for the annexation or the workshop. The council felt it was best to do the Q&A session first. The council agreed that September 8th would be the Q&A session. Erica requested a 10-minute legal session. At 7:55 pm, Jake motioned for a 10-minute legal session to include Burton Harding by phone. 2nd by Aaron. Motion carried 3-0. Executive session ended at 8:05 pm with no action taken. Motion by Brandon to move the council meeting on September 8, 2020 to 5:00 pm and the Q & A session at 6:00 pm at the community center on Main Street. 2nd by Jake. Motion carried 3-0.

Kern read a press release regarding the annexation. A motion to approve the press release with changes made by the council was made by Aaron. 2nd by Jake. Motion carried 3-0. Kern addressed the council about a workshop date. She felt that a workshop in October would be best. Motion by Aaron to have the workshop on the 5th of October at 6:00 pm. 2nd by Brandon. Motion carried 3-0.

C. APPROVE CONSENT AGENDA:

1. August 5, 2020 Public Budget Hearing minutes.
2. August 5, 2020 Regular Meeting minutes
3. Regular Council Disbursements - **\$21,629.75**
4. Payroll Disbursements-- **\$19,315.24**
5. Mandatory Disbursements-- **\$ 26,245.47**
6. **Correction to Regular Council Disbursements 08-05-2020-credit Delta Dental by .65 for statement credit not calculated.**

Motion by Jake to approve the consent agenda with the published correction. 2nd by Brandon. Motion carried 3-0.

D. PUBLIC SPEAKER IDENTIFICATION: Mayor Mike Frisbie-

Bobby Cole- Stated he received a 10-day notice for weeds. He stated he was in the hospital at the time. The notice was signed on the 1st and the lot was mowed on the 14th of July. There was no contact from Mr. Cole to city hall regarding his statement that his health was not good at the time. Motion by Aaron to allow Mr. Cole to pay \$50.00 per month until it is paid in full and if any payments are missed, the entire amount becomes due and payable. Brandon 2nd. Motion carried 3-0.

Cheryl McGaugh- Ms. McGaugh stated she had no idea why she was here again. Kern explained she received a 30-day notice and sent an appeal. Ms. McGaugh filled out a building permit. Burton told Kern prior to the meeting we can proceed with it regarding the violation or we can wait until Harding is present. The Mayor asked if we discussed any sort of variance. Kern recommended we have proper procedures in place before we continue discussion. Jake asked what was wrong with the fence. Kern explained that the fence doesn't meet height requirements, but the former fence didn't either. The council felt it best to wait until Burton Harding was present. Kern explained that she will reach out to McGaugh. Tabled until September 8, 2020.

Jesse and Debbie Spears- Jesse stated their address as 300 W. 13th Street. They own the adjacent property at 210 W. 13th. The renters have got cars all over the property but are currently moving to Sugar Valley. Spears stated that they are working on the property's roof. The council had previously given them 90 days to do the improvements needed. Spears is having a tough time accessing the property. 711 Center- Jesse stated that Jess Randall is in the hospital and he has the trust on the property. Spears stated he is not opposed to having the house torn down. The council stated we could come back on the 21st of September to give an update. Jake motioned to extend the 90 days on 210 W. 13th until the 8th of September. 2nd by Aaron. Motion carried 3-0.

Sherry McCulley- She addressed the council and stated she is making progress. Aaron motioned to extend the condemnation process on 410 E. 5th to September 21, 2020. 2nd by Jake. Motion carried 3-0.

Sara Herring- (The city clerk did not transcribe these minutes word-for-word and did her best to summarize). Ms. Herring stated she had questions regarding the annexation at the last meeting. She stated that she believes that the council will proceed. She quoted something Jake had written back in October of 2019 as to the city's reason for annexation. She asked the council to explain growth area. Ms. Herring stated some facts regarding census data. Jake explained that we have spent hundreds of thousands of dollars on the NE development. He went on to say we have no control over what can be erected in the area near our NE development. She stated it makes no sense to annex a property that is already built as it doesn't affect the growth area. She stated there is not a lot of options for economic growth on Main Street. She asked what non-residents that get city water cost the city annually. Kern explained it would be tough to do a breakdown because of the age of the lines at each of the households. Kern then explained that the water fund is self-sustaining most of the time. Herring stated she has seen the budget and the debt. Herring asked why the council wishes to fill in the gaps on the map. Jake explained that he doesn't believe it is right that someone live in the heart of the city but not be in the city limits. Kern expressed her gratitude for the questions that have been brought up because she and the council believe that those questions help to develop a plan. Herring stated the economic impact to the residents that will have additional taxes will be big. A member of the audience asked if we had a timeline for the annexation. Kern stated that there is a lot that goes into it. Kern stated the goal tonight is to set a workshop and Q & A date.

Jesse Spears- He stated there is a property on Laurel that never gets mowed and the railroad right of ways don't always get mowed. He then stated that there is a sewer line that is consistently full of water at all times of day. He believes there had to be a leak somewhere. Kern stated we can investigate that.

E. COUNCIL MEMBER DISCUSSION- Jake discussed the lot behind the property owned by Brandon McGinnis. There have been complaints about codes in the city and the lack of attention by certain owners. Jake mentioned that people seem to be doing just enough to get out of a codes violation and then they let it get bad again. After much discussion, Kern stated that we need to get our city attorney involved in finding a solution. Jake requested that Erica ask Doug Barlet to the next council meeting to discuss codes enforcement at 5:00 pm. At 8:35 pm, Jake requested a 10-minute executive session for trade secrets. 2nd by Brandon. Motion carried 3-0. Executive session ended at 8:45 pm with no action taken.

F. CITY ATTORNEY: Burton Harding-absent.

G. CHIEF OF POLICE: Tristan Snyder- July calls were included in the packet and he gave a summary of the report. There have been several arrests in the last few weeks. Overall arrests for the year there have been 106 arrests. STEP starts for DUI's and seatbelts in August on the 20th through September 7th.

H. PLANNING & ZONING: Erica Kern-nothing to report.

I. PUBLIC WORKS- Casey Osborne- absent.

J. NEW BUSINESS:

7. Discuss/Consider request to remove sidewalk at 321 Sycamore-Sharon Gillespie. Motion by Jake to approve allowing removal of sidewalk. 2nd by Aaron. Motion carried 3-0.
8. Discuss/Consider proclaiming September 17-23rd "Constitution Week". Motion by Aaron to approve. 2nd by Jake. Motion carried 3-0.
9. Discuss/Consider estimates from Lloyd Harold LLC for repairs to 14th Street lift station. Motion by Jake to approve the three estimates with the totals of \$1594.00, \$1500.00, and \$3070.00. 2nd by Aaron. Motion carried 3-0. The last bid was tabled until clarification of the bids.
10. Discuss/Consider abatement for property located at 109 West Broad Street-Wisdom. Motion to approve abatement by demolition of the property to include the house and the barn by Jake. 2nd by Aaron. Motion carried 3-0.
11. Discuss/Consider approving applications for CDBG funds for businesses in the city limits. See above.
12. Discuss/Consider building maintenance and needed repairs at 1701 Laurel. See above
13. Discuss/Consider building maintenance and punch list at Community center. See above.
14. Discuss/Consider transfer of ownership of property on Thomas Road. Motion by Aaron to approve Burton to draw up an agreement for the real estate transfer of ownership with Jimmy Watts for the property on 6th Street and the property owned by the city on Thomas Road. 2nd by Jake. Motion carried 3-0.
15. Discuss/Consider updates to purchasing policy. Motion to approve the policy dated July 2020. 2nd by Jake. Motion carried 3-0.
16. Discuss/Consider payment to BG Consultants for the work estimate forms for engineering services. Motion by Jake to approve the work estimate form for BG Consultants. 2nd by Aaron. Motion carried 2-0 with Brandon abstaining.

K. UNFINISHED BUSINESS:

L. REMINDERS:

M. ADJOURN:

Meeting adjourned at 9:20 pm to enter the condemnation hearing. At the end of the meeting, Brandon announced that this will be his last council meeting. He cited that it is not fair to the city as he is very busy and unable to attend all meetings. He thanked the council for allowing him to serve. Jake thanked him for his time on the council.

Mayor-Mike Frisbie

City Clerk-Teresa Whitaker