

New Strawn City Council

Regular Monthly Meeting

Thursday, June 8, 2023

PRESENT:

Mayor Rhonda Taylor

Council members: Jeanne Haas, Stephanie Baker, David Christiansen, Butch Gilkison and Johnny Hernandez

Staff: Maintenance Operator Steven Dwight (arrived 7:02), Code Enforcement Ray Wards, Zoning Administrator Cody Collins, City Attorney Philip Wright and City Clerk Lana Johnson

Others: Greg Holmquist, Mark Petterson, Wayde Thomsen, Gary Haehn, Jaclyn Smith-Nelson, Ryan Nelson, Tom Heinz, Jim Weeks, Ryan Akers, Scott Porter, Melissa Mancuso, Jeanne Mancuso, Justin Wolfe, Charlie Whitworth, Jill Whitworth, Jason Volland, Denise Davis and Tyson Marcotte

CALL TO ORDER: Mayor Taylor called the meeting to order at 7:00 p.m.

FLAG SALUTE: The meeting opened with the Pledge of Allegiance.

AGENDA ADDITIONS/CHANGES:

ADD: Under Maintenance Operator – Survey Budget

Gilkison moved, seconded by Christiansen, to approve the agenda with addition of Budget Survey.

Motion carried 5-0.

CONSENT AGENDA ADDITIONS: None

APPROVAL OF CONSENT AGENDA:

Consent Agenda Items

Minutes: Move to approve meeting minutes of May 11, 2023.

Move to approve the special meeting minutes of May 11, 2023.

Warrants: Move to approve the Warrants dated May 9, 2023 through June 6, 2023 in the amount of \$29,361.92.

Payroll: Move to approve the May, 2023 Payroll in the amount of \$9,068.43.

LICENSES: Move to approve 2023 Alcohol License for Lakeside Liquors.

Move to approve 2023-F-01 Fireworks Permit for Nolan Strawder/Radiant Life Church.

Christiansen moved, seconded by Baker, to approve the consent agenda as presented. Motion carried 5-0.

APPOINTMENTS:

a. Water Leak Forgiveness Request– Denise Davis/Jason Volland 1011 Arrowhead – Denise Davis explained that they had just moved in and didn't realize there was a toilet in the basement running and requested a forgiveness for the water leak. Council Member Haas explained the spreadsheet included in the council packet. It has been used in the past on partial water forgiveness adjusting the water use overage to bulk water rates. Council Member Christiansen voiced opposition

for the forgiveness. "That is the cost of owning a home". *Gilkison moved seconded by Haas to allow an adjustment of \$232.71. Motion carried 4-1 Christiansen opposed.* Davis and Voland left at 7:10

b. Radiant Life Church - Ryan Akers introduced himself. Radiant Life Church is looking into installing a disco golf course and would like to know if the city would be interested in joining by installing some baskets on city property. He provided a map of tentative ideas. A nice basket could cost \$400, a cheap one would be around \$225 and if the church poured their own pads with volunteers, they may cost around \$1,000. The idea would be to have 4 holes on the church property and 5 on the city property. City Attorney Wright asked that they get a bid for anything the city will be responsible for. Council Member Hernandez said Scot Jeffers showed some interest in the Burlington Recreation Center helping to fund the project. Ryan Akers and Council Member Hernandez will work together for bids etc. This will be added to the July agenda. Akers left at 7:25

PUBLIC COMMENTS:

Gary Haehn: I just have one question on this here, on mowing. Who is going to be in charge of the mowing, the city, the church? That is one thing you need to discuss, who is going to mow it. On the other mowing, residents. I think the council wants everybody to maintain their yards that are residential. A lot of people spend a lot of money and a lot of time keeping their yards good. You have an eye sore and that is the golf course. It is residential and he should mow it and keep it mowed or the city needs to mow it and charge him like you would charge every other resident. Now I have heard vicious rumors that the owner wants to put livestock there. Now, we want to build this town up and I guarantee you if you put livestock in that old golf course, people will leave this town quicker than they came. Another thing about land, I assume the city is talking about selling land, I assume down here where the diamond is. We have tried to do something for that for years. I worked very hard when I was on the council to get a soccer and all that. The council said too much money. We want to grow but if you put houses in, who is going to put the streets in, who is going to put the sewer in. Everybody wants to build. But no one wants to put up the money. They want the city to do it. The city says we don't have enough money, so we can't lower the maintenance fee, we can't put street lights. The bad thing about being an ex-council member, everyone thinks they can come to you. I don't have that power. But there are people disappointed. If you wanted people to come here, I told you just do something positive. You missed a great opportunity Memorial Day. Small towns around put flags back up for a couple of days. That don't take much. We had one business had a flag raising, which I thought was great at 10:00. **Mayor Taylor:** your three minutes are up. **Haehn:** I'll be back next month.

Jim Weeks: I drove around town here this week and looked at things. I see that we as a city we are continuing to violate our zoning regulations and our ordinances. That was the reason that I got off the council. Why, because I don't want to be a part of something where you are violating. When you take an oath of office saying you are going to uphold your zoning and ordinance. I'm not going to do that. You are violating your oath of office. I think as far as putting cattle out there on the thing that's against zoning. You can't do it in R-1. Ordinance (Weeks handing Zoning Administrator Collins a document) says you can't have barbed wire or electric fences in. So, putting cattle in that would be, it's not going to happen. Then out on the golf course, there is a trailer out there. According to zoning, who is the zoning? No, you are the zoning administrator, right? (speaking to Cody Collins) **Collins:** that's code enforcement right there (pointing at Ray Wards). **Weeks:** (shouting) No, you need to get out your Zoning Regulations. Mayor Taylor used the gavel. **Jim:** Section 9 gives you exactly what you are responsible for. **Mayor Taylor:** Jim, Jim, this is a time for public comment not interaction with the staff. OK? I have it right here in our book. Would you please continue. **Jim Weeks:** Alright, so you are violating your zoning in that regard as well. I will tell you this, cause this is what I have heard in rumor.

The zoning administrator and the code enforcement person have been kind a been directed not necessarily to follow everything verbatim. All I'll say to them is when the city gets sued, and it's going to be coming, you guys are going to be the ones on the seat, on the witness stand. You don't have a piece of paper signed by them saying that ya, we told them you didn't have to enforce it, they didn't have to follow the zoning regulations. **City Attorney Wright:** I think personal threats are totally inappropriate so. **Weeks** interrupted shouting I'm not making a threat; I'm just giving them a statement. **Mayor Taylor:** is the three minutes up? **Clerk Johnson:** no. **City Attorney Wright:** you have got about 15 seconds. **Weeks** shouting at Wright "you don't like me do ya?" **Mayor Taylor:** this isn't a thing about like or dislike Jim. **City Attorney Wright:** I don't have a problem with you Jim but I think your tone is angry and I think you made personal threats against the city staff. **Weeks:** No, I don't make no threats, I just told them this is the way things are. **City Attorney Wright:** Your time is up. **Mayor Taylor:** Ok, we are done. Thank you, Jim.

Tom Heinz: Mine is going to be short. It's on the same principal as Mr. Weeks and Gary, I don't know his last name. This deal with the golf course and questions on that. The rights of us as the surrounding property owners also the owner of the land. It is a sore eye, it's a sore eye for all of us. You want us to have this wonderful, beautiful community and we look at it everyday when we drive through Arrowhead seeing it. We have people commented even from Burlington they drive down the road. They say that's a sad, sore sight to see. I'm just giving my deal. I've talked to Council woman Haas about some of this trying to get some information on it. I know there are the rumors going on. **Mayor Taylor:** that's unfortunate about the rumors. **Heinz:** that's why we are coming here tonight, to talk to you guys and let you know that we're, how do I put it? I, I'm not talking about anyone else am very upset about what's going on. You want us to be with the code on how to take care of our yards and everything. It's very sad that it's not taken care of the other way. That's all I have to say. **Mayor Taylor:** Thank you sir for your comments.

Melissa Mancuso: I'm kinda on the same page with these two as far as, you know what's going to happen with that lot. It's definitely is an eye sore and looks like a mess. We all just want it cleaned up. **Mayor Taylor:** Thank you. **Mancuso:** Also, is the north end of town going to get street lights? **Mayor Taylor:** This your public comment time, the council is listening. If you want something more as a direct, you need to be put on the agenda and an interactive conversation can happen. Thank you.

Mayor Taylor: Jeanne do you and your daughter have the same concerns? **Jeanne Mancuso:** no, I'm just here. **Mayor Taylor:** I saw the marks under public comment.

Charlie Whitworth: I have the same comments and voice, get it clean. The whole area looks trashy with the old dead mower laying out there and the whole building to right there beside it. I mean, I know it's a different I think owned by two different people. That's an eye sore to. You come in; you see that building the first thing you turn in by the bank. You have a nice bank and then it just looks poor. You know, it just looks run down, there is stuff out in front of it. **Mayor Taylor:** That got cleaned up sir. Thank you for your comments.

Jaclyn Smith- Nelson and Ryan Nelson: Ryan: I hear we are the talk of the town. **Jaclyn:** I just wanted to introduce myself. I am Jaclyn. We bought the golf course the end of last year. I wanted to make sure I was here to answer any question that you might have because I understand there are a lot of confusion and concern about our property. So, I wanted to come up here and introduce myself and answer any questions. **Mayor Taylor:** I appreciate you doing that. You are property owners in New Strawn. I believe you have been introduced to Ray. Ray are they in our specs? **Code Enforcement Ray**

Wards: Not at this time. **Mayor Taylor:** And you have addressed it with him? **Wards:** I had a conversation with Mr. Nelson the other day and the problem is going to be taken care of. I explained it to him that he has to be 150 feet from the structure and he is 101 feet. This is going to be taken care of in the next 3 or 4 days if it doesn't rain, snow or whatever. **Mayor Taylor:** Thank you and welcome to New Strawn. **Jaclyn Smith-Nelson:** I just wanted you to know our goal is to make sure whatever we do is compliant with what city regulations are, with any rules or any zoning ordinances. I am very thorough with making sure I follow all policies and procedures and if I have any questions, I will be sure to ask before I do anything. **Code Enforcement Ray Wards:** If you are not in compliance you will hear from me. **Jaclyn:** I do my absolute best as quick as I can. **Ryan Nelson:** I would also like to give you all my number. If you have any issues, you can contact me. I'm not aware of anyone trying to contact me. I would be glad to provide my number 801-671-7366. **Mayor Taylor:** I also think that the first thing that the community should do if they have any questions instead of bombarding Ryan. Ray is our code enforcer and he is the one that will keep you guys in spec. So, he is the one that the community should be going to. **Scott Porter:** So, you are saying a citizen can't talk to him? **Mayor Taylor:** I did not say that. But I'm saying if you have concerns about happens on their property, wouldn't it be nice to know before you went to them to know whether they were in spec or not, Scott? **Scott Porter:** Why don't he quell the rumour on livestock? **Mayor Taylor:** Ok, I don't have you written down for any public comment. **Scott Porter:** Well, follow your protocol. **Mayor Taylor:** I will, that's my job. Thank you. We have cards from Ray sitting up here for anyone to please take. **City Clerk Johnson:** We don't have very many but his phone number for code enforcement is 719-469-7761 and if you aren't able to write it down tonight, call me tomorrow. **Mayor Taylor:** I thank you guys

David Christiansen: I do think talking to neighbours when you have issues is the best thing. If you want to be friends and be friendly do that. I know a lot of the people that did talk on the subject are very nice, considerate people. There is not a lot of hard will here in this town.

FINANCIAL REPORTS:

- a. Additional Warrants – None

STAFF REPORTS

Zoning Administrator

- Approved 2023-Z-4, zoning permit for a fence located at 127 Algonquin Dr, Ryan True
- Board of Zoning Appeals and Planning Commission had a meeting on May 23, 2023 for

a conditional use permit. More info is needed from the land owners. There are some changes needed to be made to the zoning regulations. No changes to the intent just clarification.

Code Enforcement Officer/Public Safety

Code Enforcement Ray Wards: I have cards here and if anybody wants to call, they are welcome to call me. **Mayor Taylor:** I do know we have our code on line so they can be accessed that way. City Clerk Johnson can be a resource also as she has with the Nelson's previous to them purchasing the property. **Jaclyn Smith-Nelson:** I have read every ordinance out there. **Code Enforcement Wards:** We have complaint forms also. If they want to fill out a complaint form, Lana will get it to me. I will address it and if they would like, I will get back to whoever addressed the complaint.

The trash at the north end of the building on Arrowhead drive was removed several weeks ago. A letter was sent out for that building regarding the mowing and trimming. Met with a homeowner on 3rd street at City Hall regarding unregistered vehicles and trees. Also met with the current owner of the

former golf course. Informed him that in some areas the grass is only 101 feet from a residential structure. The owner is aware of the code and will have the area hayed and/or mowed. As far as the camper goes, there is no city ordinance saying he can't stay in that camper.

Maintenance Operator

- Water Meter Update – all but two 2” meters have been replaced.
- Still need to install the cameras.
- The company supplying the water pumps wanted to know if he wanted them in one or two pieces when delivered.
- Summer help has gone over on hours but wants to finish a job once it's started. He is doing a good job, shows up on time and picks up trash before he mows.
- Street lights – CIP is still meeting and time will tell if they are able to provide funds for lights.
- Flags were out on Memorial Day contrary to a comment during public comments.

*Haas moved; Christiansen seconded to take \$1,000 (not to exceed) out of General to survey the city owned property on Neosho St. **Motion carried 5-0***

City Clerk

- Community Building Rentals
June – 3rd Private Event, 8th – 11th Private Event, 19th Lifeline Screening, 20th I.B.E.W., 24th Strawnfest, 27th – July 5th Radiant Life Youth Fireworks
July – 1st – 5th Radiant Life Youth Fireworks, 8th – 13th Radiant Life VBS, 18th I.B.E.W., 31st – August 2nd Election

City Attorney

- Kwikom Update – a letter was sent to Kwikcom with notification that the contract would not be renewed. They also haven't provided proof of ownership of the ValNet equipment.
- McDonald Tinker Attorneys at Law Engagement Letter

*Baker moved, seconded by Christiansen to allow Mayor to sign engagement letter with McDonald Tinker Attorneys at Law Engagement Letter When the rates are corrected to \$200. **Motion carried 5-0.***

- Ordinance 2023-02 Increasing Waste Removal Fees

*Haas moved, seconded by Baker to approve Ordinance No. 2023-02 Increasing Waste Removal Fees as presented. **Motion carried 5-0 with 5 hands raised.***

Mayor's Report

- a. Meet the People” - New Strawn Library, June 16th Correct Date
- b. Replat – discussion of replating the 6 acres west of the ballfield which was approved to be kept. In the replat the ballfield should be platted with the city shop so the community knows that the ball field isn't going anywhere. Mayor Taylor had thought about finding out if the piece of land behind Bahr's would be up for sale that maybe the city would be able to get that for a reasonable price to make a parking lot for the ballfield. Unfortunately, Tim beat me to it. Keep in mind what we can do with the replat of the area behind the ballfield. A bit of background. In 1987 there were still trailers there from Wolf Creek Nuclear construction. In 1988 the trailers were moved out and that area was replated for development. All of that is called Arrow Park. There are 6 acres that has potential and was

the future vision of the council in 1988. I would like for us to consider that at another meeting but I would like to have it replated so the shop and the ball field stay together. **Christiansen:** What is the cost of replat? **Taylor:** I do not have that information because I didn't figure until I see movement that I would look into it. **Haas:** If we are going to replat for sale for the purpose that Rhonda is looking towards, we need get an engineer involved too. We need streets, sewer and water lines. **Taylor:** Sewer is there, water is a bit off. Maybe we can get the county involved in helping us with an engineer. I think the community know the ballfield will be staying with the shop. I think that is a positive. I would like to see 6 acres of useable land be made for home and that was in the original thought process for the area called Arrow Park. **Gilkison:** Depending lot size, 6 to 12 homes. **Baker:** Are we going to be able to put a caveat that they have to be built on? **Taylor:** yes, thank you Stephanie. I was talking with Philip. Jeanne and I had this conversation. Jeanne had talking with a realtor. Realtors don't have the authority nor the legal background to put that into their contracts. If we were to do this with a caveat in the contract to say they have a time constraint that a residence needs to be put on the land or the land goes back to the city. It can be done through attorneys. **Haas:** I am totally against putting that caveat in it. That will be my vote. I don't think we have the right to tell people what they can and can't do. **Christiansen:** I'm totally against if it is a private sell, it has to be a public sell. **Mayor Taylor:** It will be a public sell as far as pieces of land up for sell with a caveat included a home has to be built. Now, on that note that you don't want to tell people what to do with their property. That brings me pause. I see city property being the council responsibility to be caretakers of that and to look towards what is beneficial for the entire community at that point. As the council you do have the right, I will make it clear that I don't have a deciding vote unless there is the need of a tie breaker and that has been pointed out to me to this week. I did a lot of thinking on this and Philip can attest that I have thought this through and talked to him about it. It can be done, not in a private sell, David because that is not what any of us had talked about. I have listened to the council and they said they didn't want private sale. But I also think that is it our job as care takers of the city to look ahead, do we want a dying town or a vibrant town. Without homes you have no place for your kids, nieces, nephews, or new workers to come in and have the same happy that you have here in our community. There are reasons all of you moved to New Strawn. We have to have that and as council members it is your job to look ahead see how to keep New Strawn vibrant. **Christiansen:** A few meetings ago we voted to not sell the property. **Taylor:** we voted not to sell the ballfield. **Christiansen:** the whole property as a whole, the whole thing. We said we are not going to sell it. I was on the losing part of that by the way. Which I'm ok with. **Taylor:** We have marked on the map in orange what is owned by the city and I think that now we are the only community that has not decided to move ahead with growth. **Christiansen:** There are still open lots, unbuilt on that have roads, sewer, water and electricity. I don't support building roads and more infrastructure for the promise of houses. **Haas:** that's sort of my feeling David. We would have to get an engineer to do this, get it replated. We have to do different zoning since it all zoned agriculture right now. **Mayor Taylor:** which I don't think that should be an issue **Haas:** Well, we haven't had the letters sent out though Rhonda. **Taylor:** I understand that Jeanne, but this is a preliminary of us discussing and it is my job as the mayor to bring this to the council so we can have a discussion. **Christiansen:** So this whole year, we have had people coming to us asking the city council to send out lots of money to help develop/build things with the promise of some factory being built. It's not even built yet and they haven't started laying ground work. We are getting the cart so far ahead of the horse. If there is a demand, people will want the land. There is still open lots. We voted on this multiple meeting ago. We are beating a dead horse on this at this current moment. Maybe sentiments will change in a year.

Haas: we voted to leave it as. Haas moved that we leave the land that takes care of the ball park and the area between and go forward with (didn't finish motion before Christiansen's second) Christiansen: I second that motion. **Taylor:** I am going to refuse to entertain this motion at this time because I would like to finish the thought. **Christiansen:** Let's go on to finance and economic development. **Taylor:** No, we are not David. I am in charge of the meeting, thank you. **Christiansen:** The city is not your city, Rhonda. **Taylor:** David, I would like to give the other option. What I would like to suggest is that there always is another option where the city does not have to pay for the development of the roads the sewer or the water. You guys could gift it to the Coffey County Housing Authority and they could come in and build homes and it won't cost the city anything. That is what I wanted to say. If you all don't care to, Butch you haven't said anything, Johnny, Stephanie none of you have said anything about this. **Gilkison:** As I understand it, if we were to the planning process would establish the existing ballfield and the shop as one property. **Taylor:** Yes. **Gilkison:** The other property would be available for other use. **Taylor:** Or left vacant. **Gilkison:** I'm in favor of doing that plat. **Haas:** I would move that we leave the ball field and the area around the ball field as is and not replat it. **Christiansen:** I'm going to second the motion. **Taylor:** ok. Is there any other discussion? Johnny, do you have anything to say sir? **Hernandez:** I feel like we are making a pretty rash decision right now. We set aside a work session for the council to show up to discuss this. Not everybody showed up. The other person that came was side tracked with a phone call conversation the whole time. There was no discussion being had, there was no way to see the opinions of the person other than what we are hearing now. I guess I'm kind of conflicted right now. When it comes to this because we did set aside a time to discuss it but we had individuals not show up. We could have made that decision. **Taylor:** discussion **Hernandez:** Discussion at that point. **Taylor:** Butch has a motion on the floor of putting the ball field and the shop together as a replat. **Wright:** there is already a motion and second on the table and you asked for discussion. Are you going to entertain the motion? Butch made a motion but nobody seconded it so that motion wasn't on the table. There was another motion put on the table with a second and there was further discussion on that motion so that needs to be addressed before we go back to Butch's motion. **Taylor:** So do you want to maintain your motion Jeanne? **Haas:** Yes, I move that we leave **Wright:** Hang on, there's no more motion, there is one on the table. **Taylor:** all those in favor? **Gilkison:** State the motion please. **Taylor:** State it. **Haas:** You're the Mayor. **Taylor:** Oh! Ok, thank you for recognizing that. I appreciate it. The motion on the table is that basically we walk from this Jeanne doesn't want anything done with it, the replat is dead in the water, pretty much the same, right? **Haas:** No, I said I move to leave the ball filed area alone and not move forward with the replat. **Taylor:** Basically, dead in the water. David seconded it and we have no more discussion and I will call for a vote. All those in favor say aye, all those oppose. 1:12

Hernandez: I feel that we are making a harsh decision and there should be more discussion about it but at the same time we set a time to discuss it and go through. I feel like I'm making a decision on emotion. I'm going to go with Jeanne and Dave on this one. **Motion carried 4-1 with Gilkison opposing.**

Finance & Economic Development Report – Jeanne Haas

a. Budget Prep

Haas moved, seconded by Christiansen to have a budget workshop on July 5, 2023 at 4:00 pm and a special meeting with Phil Jarred, CPA with Jarred, Gilmore & Phillips, PA at 5:30, July 13 to go over the 2024 budget and the 2022 audit. Motion carried 5-0.

Haas moved, seconded by someone else to have a budget workshop on July 5, 2023 at 4:00 pm. Motion carried 5-0.

March, April and May numbers were adjusted by \$67.50 due to voiding a check that had gotten washed and replaced.

Community Building Report – David Christiansen

Nothing to report.

Utility Report – Butch Gilkison

Water Usage and Loss Report presented.

Street Report- Rhonda Taylor

Maintenance Operator Dwight reported that a culvert needs to be replaced at 16th and Main St. Bids were requested from APAC and Killough. APAC hasn't presented a bid and does not have a milling machine.

Christiansen moved, seconded by Haas to approve the bid from Killough from June 7, 2023 for \$97,201.00. Funds to be used from Infrastructure. Motion carried 5-0.

Public Relations Report- Jeanne Haas

a. Strawnfest 2023 Events – list of events was provided. Council Member Baker will get a bingo caller, Council Hernandez will arrange for the grill. Most all of the food will be purchased at Hoovers. 4Rivers has donated \$500

Christiansen moved seconded by Baker to give out four adult and four kids fishing license for a bingo prize. Motion carried 5-0.

Mayor Taylor thanked Council Member Haas; she is a force is of party making. She has single handedly gone in taking care of putting this together. Lana has helped her with sending out the letters. I just want to let everybody know that Jeanne is invested in Strawnfest.

Haas moved, seconded by Christiansen to allow Maintenance Operator Dwight to take the skid steer to the New Strawn Library to move dirt and sand. Motion carried 5-0.

Parks & Recreation Report – Johnny Hernandez

Council Member Hernandez mentioned that there is a new net at the baseball field. He will meet with Scot Jeffers regarding the disc golf for possible funding. He will also see what company they used for supplies and installation.

Maintenance Operator Dwight reported that the parks are being used more often.

INSURANCE/PERSONNEL: - Stephanie Baker

City Clerk Johnson is still researching companies that will provide insurance for only two employees.

New Business - None

Adjournment:

Baker moved, seconded by Gilkison, to adjourn the meeting at 8:43 p.m. Motion carried 5-0.