

**October 11, 2023**

The scheduled monthly meeting of the Chapman City Council was held Wednesday, October 11, 2023, at City Hall at 7:00 pm. Mayor Howard Battishill was present. Councilmembers Tim Jury, Mary Monasmith, and Dale Nelson were present. Also in attendance were City Administrator Bill Flanery, City Attorney Brad Jantz, Director of Public Works Edward Wehrmeister, Police Chief Kevin Diercks, Director of Parks and Recreation Tori Heller, Colin Sullivan, Traci Lucas, and Lance Tilton.

**#2 Consent Agenda**

Motion by Jury to approve the consent agenda as presented, 2nd by Nelson, vote: yes, unanimous (3-0). Motion carried.

**#3 Public Comments**

None

**#4 Discussion on Chapman FFA Planting Orchard**

The Chapman FFA is considering the land at 2648 Nicholson Road for the orchard. The orchard would be co-located with the Dog Park. The FFA took soil samples of the area and the samples returned favorably for the planting of an orchard. There is already a water line on the lot and the Elementary School could participate in the orchard activities. The City Attorney will draft a Memorandum of Agreement between the City and the Chapman FFA which will outline the responsibilities of the orchard.

Motion by Nelson to allow the Chapman FFA to plant an orchard at 2648 Nicholson Road, 2nd by Jury. Vote: yes, unanimous (3-0). Motion carried.

**Councilmember Sheryl Coyner arrived.**

**#5 Agreement with Traci Lucas on Acreage for Youth Center**

Traci Lucas stated her attorney was concerned about language in the contract that allowed the City to take back the property if the Youth Center was unable to raise two million dollars within two years of the closing date. While she does not anticipate an issue, new council members may be elected and have a different view on the building of a youth center at the proposed location (2000 block of 2650 Avenue). City Attorney Brad Jantz stated the contract contained a provision that would allow for an extension for good cause shown. Traci Lucas asked the Council to consider increasing the amount of time in the contract to secure funding and complete the project. City Attorney Brad Jantz stated the City could not simply take the land back after development has started. The City would have to go to court and establish that there has been inadequate completion or performance pursuant to the agreement. Councilmember Jury recommended changing the contract from two years to three years to secure funding and five years to six years to complete the project.

Motion by Nelson to modify the proposed contract to allow three years to secure funding and six years for the completion of the project, 2nd by Jury. Vote: yes, unanimous (4-0). Motion carried.

**#6 Agreement with Steve Blacketer for Purchase of Property located at 105 E. 3<sup>rd</sup> Street (Old Grocery Store)**

Steve Blacketer is interested in obtaining and remodeling the property located at 105 East 3rd Street. Steve would agree to the same offer previously made to Ty Prosser. The contract would sell the land to Steve Blacketer for \$1.00 and provide up to \$20,000 reimbursement towards the construction of a new roof. Renovations would have to be complete within two years of the closing date.

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Motion by Nelson to approve the contract with Steve Blacketer for the property at 105 East 3rd Street. The contract will sell the property to Steve Blacketer for \$1.00 and provide up to \$20,000 reimbursement for the construction of a new roof. The project must be completed within two years of the closing date. 2nd by Jury. Vote: yes, unanimous (4-0). Motion carried.

**#7 Discussion on Neighborhood Revitalization Program**

The City had a Neighborhood Revitalization Program (NRP) in 2012 that has expired. The purpose of the NRP is to encourage individuals to build or remodel properties in certain areas through tax break incentives. Individuals would apply for the NRP and, if approved, would receive a tax break on property taxes for up to 10 years. Dickinson County and USD 473 would also need to approve participation in the program for individuals to receive the full tax break. The original NRP included Irish Acres, but those properties have been removed from the proposed NRP as they were developed recently. The proposed NRP includes the Light Industrial District, Commercial District, and the Business District downtown. The NRP would only cover new projects and is not retroactive. The proposed NRP does not include residential areas. Councilmembers Dale Nelson and Tim Jury stated residential areas should be added to the NRP to encourage individuals to remodel or build homes in Chapman. The tax break for areas zoned residential would be 100 percent for the first five years, 80 percent for year six, 60 percent for year seven, 40 percent for year eight, 20 percent for year nine, and 10 percent for year ten. The tax break for commercial properties would remain 100 percent for up to 10 years. The residential area would not include Irish Acres. The revised NRP will be presented to the Council at the next council meeting on 8 November 2023.

No action taken by Council.

**#8 Uniform Policy and Clothing Allowance for Boots for Public Works Employees**

There is currently no uniform policy for Public Works employees. Previous employees would come to work in shorts and tennis shoes. This policy establishes clothing requirements for members of the Public Works team and provides up to \$200.00 reimbursement for a pair of OSHA-ASTM boots. The policy would provide reimbursement every other year. Councilmember Jury recommended the policy provide reimbursement every year instead of every other year. Employees would have to be employed for at least six months before qualifying for boot reimbursement. The policy would apply to all full-time employees and part-time employees that work an average of 30 hours per week.

Motion by Jury to approve the uniform policy and clothing allowance for public works employees with reimbursement being provided every year. Full-time employees and employees that work an average of 30 hours per week will qualify for the reimbursement. 2nd by Nelson. Vote: yes, unanimous (4-0). Motion carried.

**#9 Ordinance 1062 – Amendment to Floodplain Ordinance 1040A, Adopting New Flood Maps**

Ordinance 1040A is the current floodplain ordinance for the City. The floodplain maps, flood insurance rate maps (FIRM), and flood insurance study (FIS) become effective in March 2024. If the City wishes to continue to participate in the National Flood Insurance Program (NFIP), the City must adopt the new maps, FIRM and FIS. Ordinance 1062 amends Ordinance 1040A to include the new FIRM, FIS, and maps.

Motion by Jury to approve Ordinance 1062 – Amendment to Floodplain Ordinance 1040A, Adopting New Flood Maps, 2nd by Monasmith. Vote: yes, unanimous (4-0). Motion carried.

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### **#10 Resolution 10112023 – Road Closure for Trunk or Treat (400-500 Block of Marshall from 4:00pm to 8:00pm on 31 October 2023)**

Motion by Jury to approve Resolution 10112023 – Road Closure for Trunk or Treat on 31 October 2023, 2nd by Coyner. Vote: yes, unanimous (4-0). Motion carried.

### **#11 Ordinance 1063 – Renewal of Franchise Fee for Kansas Gas Service**

The City signed a franchise fee agreement with Kansas Gas in 2004. The agreement was for 20 years and will expire next year. The current agreement is for five percent of gross receipts for the sale of natural gas to residents within the city limits. Ordinance 1063 renews the agreement for another 20 years and remains at five percent.

Motion by Jury to approve Ordinance 1063 – Renewal of Franchise Fee for Kansas Gas Service, 2nd by Nelson. Vote: yes, unanimous (4-0). Motion carried.

### **#12 Quotes for Fencing for Dog Park**

The Council previously accepted a quote from A1 Fencing for \$11,222.26. There was an error with the previous quote when it was changed from 11.5 gauge to 9 gauge. The new quote from A1 Fencing is \$15,975.05. The next lowest bid was from Scott Bliss at \$12,800.00.

Motion by Nelson to accept the bid from Scott Bliss for \$12,800.00, 2nd by Jury. Vote: yes, Jury, Nelson and Coyner voted in favor, Monasmith voted against (3-1). Motion carried.

### **#13 Executive Session to Discuss Contract Negotiations pursuant to Attorney Client Privilege Exception**

Motion by Jury to recess the council into executive session to discuss contract negotiations pursuant to attorney client privilege exception, K.S.A. 75-4319(b). The executive session will include the Council, City Attorney, and the City Administrator, 2nd by Nelson, vote: yes, unanimous (4-0). Motion carried. The open meeting will resume in the city council chambers at 8:12p.m.

The open meeting resumed at 8:12p.m. All personnel present prior to the executive session were once again present. No action was taken by the council during the executive session.

### **#14 City Administrator Discussion / Evaluation**

City Administrator Bill Flanery requested the Council allow him to hire a part-time administrative assistant. Bill Flanery will remain as the City Administrator and hire a part-time administrative assistant. Councilmember Nelson will consolidate the City Administrator evaluations from the other council members and provide the information to Mayor Battishill.

### **#15 Reports**

#### **Sheryl Coyner – Tree Committee**

The Tree Committee conducted a tree inventory and will have a complete report by mid-November.

#### **Dale Nelson – Economic Development Committee**

The EDC would like a list or brochure that lists the local businesses.

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**Director of Public Works Ed Wehrmeister**

There have been several water leaks. The light at the middle school crosswalk has been installed. The manhole on West 6th Street has been repaired. The areas around the maintenance shop have been cleaned.

**Police Chief Kevin Diercks**

The Police Department participated in the annual Faith & Blue Rally in Herington. Chapman will host the event next year. There were three drug arrests out of a residence last week. The Police Department participated in a Drug Intervention Task Force with KBI, Dickinson County Sheriff's Office, Junction City Police Department, and Department of Homeland Security. Sergeant Reynolds participated in the largest seizure of drugs and seized 53 pounds of marijuana on the interstate. The City has purchased cameras for the Tree Dump. The Police Department assisted with the Middle School Color Run. The students and the community had a really good time. On October 28<sup>th</sup>, there is an archery tournament on the tennis courts and the Police Department will sponsor the medication Take Back Program at City Hall from 10:00am to 2:00pm.

**Director of Parks and Recreation Tori Heller**

There will be a clean-up at the ballfields on 22 October 2023 from 12:00pm to 3:00pm.

**Councilmember Mary Monasmith**

The tree inventory was very educational. Kim Bomberger of the Kansas Forest Service will make a presentation to the Council in December. Kim will be retiring in January. There is a small grant that is available but the deadline to apply is the end of October.

**Councilmember Tim Jury**

Thanked everyone for their hard work. Labor Day went well, and Trunk or Treat is coming up.

**Councilmember Dale Nelson**

Thanked Bill Flanery for staying with the City as the City Administrator. An individual that received a blight notice stated that the notice helped him get his property cleaned up. Blight notices aren't always negative. Dale stated he had spoken with a couple of residents, and they would be willing to pay more property taxes to repair the streets. An increase of \$5.00 as a surcharge could help pay for the street repairs.

**City Administrator Bill Flanery**

The trailer house at 232 1<sup>st</sup> Street is being demolished today. The City is receiving quotes for the roof at the library. The Department of Labor conducted a safety inspection for the City. There were a few minor infractions, but they have been addressed and the city passed the inspection. FEMA conducted an audit for the money received for the sewer plant. The audit has been completed without any issues. The City is looking at placing a push-button crosswalk at the middle school. This will help children cross the road when the crossing guard is not on duty. It is time to start thinking about a potential COLA increase for City employees. The COLA discussion will be on the agenda for November. A sign is being placed at the Tree Dump that outlines the hours and what can be placed at the site.

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**Mayor Howard Battishill**

Thanked everyone for all they do for the City.

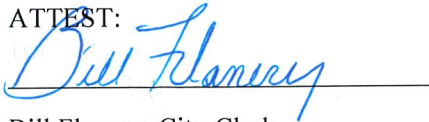
**#15 Adjournment**

Motion by Nelson to adjourn, 2nd by Jury, vote: yes, unanimous (4-0). Motion carried.



Howard Battishill, Mayor

ATTEST:



Bill Flanery, City Clerk