

**CITY OF HESSTON  
CITY COUNCIL MEETING**

**MINUTES of August 12, 2019**

**Council Meeting No. 10**

The regular meeting of the Hesston City Council was held on Monday, August 12, 2019 at 6:00 p.m. in the Council Chamber / Municipal Court Building located at 110 E. Smith Street.

**PRESENT**

Council members Larry Fuqua, Jason Jones, Clare Moore, Susan Swartzendruber, City Administrator Gary Emry, City Clerk Jason Thrasher and City Attorney J.T. Klaus with Mayor David Kauffman presiding. A quorum was present.

**ABSENT**

Council member Brad Unruh

**OTHERS PRESENT**

Public Works Director Clinton Franey, Golf Course Manager Grady Pauls, county resident Royce Enns, Beth Shelton with Harvey County Economic Development, Lorrie Kessler with the Harvey County Health Department, Megan Smith with the Hesston Chamber and Blake Spurney with the Hesston Record.

**ADDITIONS TO THE AGENDA**

City Administrator Gary Emry requested the following item be added to the agenda:

- Soil Test Results – Golf Course Clubhouse

Mayor Kauffman added this item and an executive session to discuss legal matters related to attorney / client privilege to the agenda.

**CONSENT AGENDA**

Jason Jones moved to approve the consent agenda as presented. Clare Moore seconded. Motion carried 4-0.

Mayor Kauffman asked for a motion to rearrange the items on the agenda to move Royce Enns – Emma Creek Flooding to the next item on the agenda.

Clare Moore moved to rearrange the agenda as requested by the Mayor. Larry Fuqua seconded. Motion carried 4-0.

**NEW BUSINESS**

**ROYCE ENNS OF 8201 N. HOOVER RD. – EMMA CREEK FLOODING**

County resident Royce Enns was present to discuss flooding of his property located at 8201 N. Hoover Rd.

It was the consensus of the Council to direct staff to contact the State to determine if a permit is required to remove obstructions from the Emma Creek waterway.

**PUBLIC HEARING**

**PUBLIC HEARING AND ADOPTION OF 2019 CITY BUDGET**

At 6:24 p.m. Larry Fuqua made a motion to open the public hearing. Susan Swartzendruber seconded. Motion carried 4-0.

Mayor Kauffman asked for public comment. Hearing none he requested a motion to close the public hearing.

At 6:28 p.m. Jason Jones moved to close the public hearing. Larry Fuqua seconded. Motion carried 4-0.

Susan Swartzendruber moved to approve the 2020 budget as presented. Clare Moore seconded. Motion carried 4-0.

**RECESS COUNCIL MEETING AND CONVENE LAND BANK MEETING**

At 6:28 p.m. Jason Jones moved to recess the meeting of the Hesston City Council and convene the meeting of the Hesston Land Bank. Larry Fuqua seconded. Motion carried 4-0.

**ADJOURN LAND BANK MEETING AND RECONVENE CITY COUNCIL MEETING**

At 6:31 p.m. Susan Swartzendruber moved to adjourn the meeting of the Hesston Land Bank and reconvene the meeting of the Hesston City Council. Jason Jones seconded. Motion carried 4-0.

**ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 010-2019-215 TOBACCO**

Jason Jones moved to approve Ordinance No. 010-2019-215 which regulates the use of tobacco products in public spaces. Susan Swartzendruber seconded. Motion carried 4-0.

**OLD BUSINESS**

**RIDGE POINTE DEVELOPMENT STUDY SESSION**

It was the consensus of the Council to select Monday, August 19<sup>th</sup> at 11:30 a.m. at the Water's Edge Restaurant as the date, time and location to hold a study session to discuss the Ridge Pointe Development Project.

**GATEWAY SIGNAGE**

It was the consensus of the Council to choose Option No. 3 (brushed aluminum design) for the entryway signs.

**KMGA PREPAY AGREEMENT AND ORDINANCE NO. 150-2019-037**

Larry Fuqua moved to approve the KMGA agreement and ordinance as presented. Jason Jones seconded. Motion carried 4-0.

**NEW BUSINESS**

**HARVEY COUNTY ECONOMIC DEVELOPMENT UPDATE**

Harvey County Economic Development Council Director Beth Shelton was present to give the Council an update on the HCEDC projects and activities.

**MAIN STREET PARKING**

Public Works Director Clinton Franey discussed a complaint he received from a Main Street business owner related to a lack of parking in the area. It was the consensus of the Council to direct staff to look at creating parking south of the library in the street right-of-way. Staff was also directed to contact the business owner and suggest he place "customer parking only" signs in front of his business.

**ANNUAL CONTINUING DISCLOSURE FILING - CITY**

Clare Moore moved to acknowledge the written receipt of the continuing disclosure filings for 2019. Jason Jones seconded. Motion carried 4-0.

**SICK LEAVE SHARING / DONATION POLICY**

Jason Jones moved to adopt the Sick Leave Sharing / Donation Policy as presented. Clare Moore seconded. Motion carried 3-0 with Susan Swartzendruber abstaining.

**PERSONNEL POLICY – OVERTIME CALCULATION**

Clare Moore moved to adopt the policy change that removes Holiday and Vacation Leave from the overtime calculation. Larry Fuqua seconded. Motion carried 3-0 with Susan Swartzendruber abstaining.

**ADDITION TO AGENDA**

**SOIL SAMPLES - GOLF COURSE CLUBHOUSE PROJECT**

City Administrator Gary Emry briefed the Council on the results of the soils samples taken for the Golf Course Clubhouse Renovation Project. It was the consensus of the Council to proceed with the trench foundation option of construction.

**EXECUTIVE SESSION**

At 7:40 p.m. Jason Jones moved to enter an executive session under the justification of discussion of matter privileged in the attorney/client relationship pursuant to K.S.A. 75-4319(b)(2) for the purpose of discussing legal matters for a period not to exceed 20 minutes with said meeting to reconvene in open session at approximately 8:00 p.m. with those present in the executive session being the Mayor, City Council and City Administrator. Clare Moore seconded. Motion carried 4-0.

At 8:00 p.m. Clare Moore moved to reconvene the regular meeting. Jason Jones seconded. Motion carried 4-0. The executive session ended with no action taking place during the session.

Larry Fuqua stated, I hereby move, in lieu of foreclosure proceedings, to authorize the Mayor and City Clerk to execute and deliver a deed or otherwise waive the City's mortgage interest in the Weaver Grocery Store property to The Citizens State Bank or its designee, upon such terms and provisions as are approved by the City Attorney, including an agreement that if the property sells for more than the Bank's mortgage, cost and fees, any excess shall be paid to the City. Clare Moore seconded. Motion carried 4-0.

**ADJOURN**

At 8:04 p.m. Jason Jones moved to adjourn the meeting. Clare Moore seconded. Motion carried 4-0.

Recorded by  
Jason Thrasher  
City Clerk