

Regular meeting of the mayor and council was held July 6, 2020, 5:30 p.m., at City Hall. Mayor John Bisnette presided. Council members present: Evan Joy, Charlie Stevens, Joyce Hake, Devin Renken. Not present: Jane VanDonge. Others present were Trish Harding, Mike Foster, Bruce Berkley, Kent Sullivan, Harry Colburn, and Miranda Robinson.

Mayor Bisnette called the meeting to order and led in the flag salute.

Joyce moved to approve, seconded by Evan, the minutes from June 15, 2020 regular meeting as presented. Motion carried.

Devin moved to approve, seconded by Evan, the minutes from June 15, 2020 special meeting as presented. Motion Carried.

Evan moved to approve, seconded by Joyce, the minutes from June 29, 2020 special meeting as presented. Motion Carried.

Code Enforcement had nothing to report.

City Attorney reported the camera system at the pool is up and running. He has been working on getting easements signed from businesses on Morgan Ave for the upcoming Highway 181 project. Berkley brought up the property at 4th and Railroad as the building is falling in on itself and becoming a hazard. He mentioned that the council needs to decide how to proceed with getting that taken care of.

Animal Control Richard Judd reported he picked up a small dog on Circle Drive and took to the Downs Vet Clinic. Judd stated he had a deputy accompany him while contacting the residents at 900 Osborne concerning being in compliance with tagged dogs, and the number of dogs. Two dogs were registered with the city clerk, however there are 4 known dogs inside the home. Resident was advised he needs to re-home 2 of the dogs per city code. Judd is busy contacting residents who have yet to register their dogs for the 2020 year.

Mike Foster was in attendance to bring up the fact that after his mother's funeral her grave was not covered. He wanted answers as to why this happened and who is responsible for that. The city was not asked to open or close the grave for that service. City Attorney read from the code book that it is the responsibility of the funeral director to open and close the graves. If the city is contacted to do so, the crew takes care of it. Council and employees apologized to Foster that this happened and it was inexcusable. There was a breakdown in communication somewhere but the city will create new policy.

Council came up with a new policy that the local funeral directors must contact the city prior to burial services at the Downs Cemetery. They must fill out a form with the service and burial information. The city superintendent and crew will be responsible for marking the graves once they are notified. If the crew is wanted for opening and closing the funeral director must notify the city and pay for that service. City Clerk will create said form and write letter to local funeral directors letting them know of this change.

City Superintendent Kent Sullivan reported that Celebration was slower than usual but they were busy. The horseshoe tournament was a big hit with 16 teams participating. Several families also enjoyed the frisbee golf course at the Roadside Park. Trees were picked up after last Thursday's storm.

Sullivan was contacted by Scoular Grain concerning the electric poles at the south ball field property. Scoular would allow the city to take the poles and lights if the city wanted to keep them. Sullivan

contacted Prairieland Electric to see how much it would cost for them to take down the poles and it would be around \$1,000. The poles could be re-used for another project down the road. The lights could either be used or sold.

Evan moved, seconded by Charlie, for Kent to spend \$1,000 for Prairieland Electric to remove the poles at the old ball field diamond on Scoular ground. Motion Carried.

Kent reported they had replaced 3 more water meters and taking out the old ones from the basement. There are about 20 meters left to replace with radio read meters. Johnson & Johnson arrived in town last Thursday and back this Monday to jet out the sewer lines. They will be working on Second street, Ross, Kansas, Division, Third, Delaware. If an odor or toilets start to gurgle this is due to the pressure from the jetting. They will work throughout the city and once \$6000 limit is reached, they will note where they left off and start next year.

Kent was approached by Bill Brummer about a donation to the city. Brummer has been impressed with how the parks in town are looking and had heard lots of compliments so he has donated a ballfield groomer to the city. The council wants to thank Bill Brummer for this donation.

Sullivan also brought up that the blue tractor loader has a major leak somewhere so they are trying to use it as little as possible. He would start looking into what the city could get for this one and what a newer one would cost.

City Clerk reported that Michelle Huddle, auditor, was in the office June 18. When working through audit, the bank cash report and bank reconciliation items were entered in the computer software twice therefore it was showing \$929.85 overage however the bank account was accurate. The accounts were corrected to show correct balance and matches the bank statement for 2019. Huddle will be coming to the July 20 council meeting to discuss the 2021 budget.

The Downs Clinic lease agreement was reviewed for 2020-2021.

Devin moved, seconded by Evan, to renew the clinic lease agreement. Motion carried.

Rural Fire District #4 contract was brought up by Berkley as they approached him about changing the dates of payments due to the city.

Evan moved, seconded by Joyce, to approve the Mayor to sign the amended contract with Rural Fire District #4 for 2020. Motion carried.

Council was presented a new updated special use permit form. The new form was approved by council.

Devin moved, seconded by Joyce, to approve CMB License 20-10 for Mill East, LLC. Carried.

Devin moved, seconded by Evan, to approve building permit 20-15 for APAC-Kansas for the Water Treatment Plant; 20-16 for Sam Bowles for a deck; 20-17 for Mill East, LLC for signage. Motion carried.

Joyce moved, seconded by Devin, to approve Special Use Permit 20-27 for Everett Schoen; 20-28 for Brady and Crystal Cline; 20-29 for Bruce Schoen. Motion carried.

A letter was presented to council from potential new resident to Downs concerning the number of dogs that are allowed on a property. She wants to purchase a home here but also be able to keep all of her dogs. The number of dogs would require a kennel license to be kept. A kennel license can only be

approved for zones I-1, I-2 and A-L not in a residential zone. No variance was allowed as council denied this request. City Clerk will contact this person to let them know.

Mayor Bisnette reported that Craig Pottberg had called him to let him know that AMR decided to stay in Osborne due to facilities being better and centrally located in the county. Discussion was held on the money that the city pays to the county for EMT services.

Joyce moved, seconded by Devin, to not pay the additional \$1,500 to Osborne County EMS as the citizens already pay taxes and this will not interrupt services to Downs. Motion Carried.

Devin moved, seconded by Charlie, to approve the resignation of Jane VanDonge from the City Council effective July 20, 2020. Motion carried.

Mayor appointed Trish Harding to the vacant city council position.

Devin moved, seconded by Charlie, to approve the Mayor's appointment of Trish Harding to City Council effective July 21, 2020. Motion carried.

In council reports, Devin mentioned he was going to do more research into how surrounding cities pay for citizen's pool entrance during summer.

Devin moved to approve vouchers and payroll. Joyce seconded. Motion carried.

At 7 p.m. Evan moved to adjourn the meeting, seconded by Devin. Motion carried. Meeting Adjourned.

John L. Bisnette, Mayor

Miranda Robinson, City Clerk