

**City of Silver Lake
Regular Session Minutes
Monday, August 7, 2023**

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening August 7, 2023, with Mayor Mack Smith conducting the meeting and the following Councilmembers present: Brad Bryant, Jake Fisher, Steve Pegram, Heath Robinson, and Larry Ross (5). Also present were City Attorney Todd Luckman, Full-Time Police Officer Doug Ashcraft, Public Works Superintendent Cary Deiter, City Clerk Liz Steckel, and Assistant Clerk Marie Beam.

American Legion representative, Jim Thompson returned to Council to request the City's cooperative funds towards the American Legion Memorial improvements. The Legion's estimated expenditures for the project total 28,479.00 dollars. The Legion is asking that the City contribute an additional 3,400.00 dollars to install rip rap in the ditch in front of the memorial. Public Works Superintendent Deiter stated that he checked with Kansas Department of Transportation and they approved the work. Councilmember Ross made a motion to spend 3,400.00 from the Capital Improvement Fund on the memorial project. The motion was seconded by Councilmember Pegram and carried. The City expects to save money on maintenance when this project is complete which is estimated to be in the next 2 months.

An amended order of agenda was presented by Mayor Mack Smith.

A motion was made by Councilmember Ross to approve the Regular Meeting minutes of the July 17, 2023 meeting as written. The motion was seconded by Councilmember Bryant and carried.

Councilmember Bryant presented the monthly financial report.

Claim vouchers in the amount of 48,860.52 dollars were submitted to the Council for appropriation. Councilmember Robinson made a motion to approve the following emergency expenditures; a fire hydrant from Schulte Supply, Inc. in the amount of 4,784.35 dollars, hauling of millings from Crow Trucking in the amount of 2,401.87 dollars, and a water main break repair from RDR Excavating II, LLC in the amount of 4,468.33 dollars. The motion was seconded by Councilmember Ross and approved.

An Ordinance entitled "An Ordinance Appropriating Money to Pay Certain Claims" was introduced. A motion was made by Councilmember Bryant and seconded by Councilmember Fisher that said Ordinance be accepted as read and was then placed on final passage by a roll call vote: AYE: Brad Bryant, Jake Fisher, Steve Pegram, Heath Robinson, and Larry Ross.(5) NAY: None. With no further discussion the Ordinance was declared passed and was given No. 2573.

City Attorney Luckman presented to Council the question of whether to raise the franchise fee rate for Kansas Gas Service, a Division of One Gas, Inc. as it is time to renew the agreement for a 20-year term. Council opposed the idea of increasing the franchise rate. Council directed City Clerk Steckel to prepare an agreement reflecting a franchise rate of 2% for the next for the next meeting.

City Attorney Luckman reviewed changes made to the employee handbook by himself and Mayor Mack Smith.

City Attorney Luckman discussed that in the current handbook, certain Councilmembers are named supervisors of certain departments, but that Councilmembers do not have the legal authority to supervise. Luckman stressed that the changes in the new handbook will reflect that Councilmembers' authority is only in the Council room. According to Luckman, outside of the Council room, Councilmembers should only act as a liaison between the Mayor and the departments. The new handbook will state that the Mayor is the immediate supervisor of the City Clerk, Police Chief and the Public Works Superintendent, and those department heads are the immediate supervisors of the assistants and other employees.

City Attorney Luckman presented a sample "on-call" policy that would allow the City to compensate staff for being available outside of the employee's regularly scheduled work hours. Luckman advised that this policy would ensure the City that a staff member is always available within a specified response time. Council directed Luckman to further develop the language for an on-call policy for the City of Silver Lake, and to return with the new language at the next meeting.

City Attorney Luckman noted two additions on page 27 of the new handbook. First, "Work Area and Products," which specifies that no employee has a privacy interest in work areas. Luckman noted that he may revisit the language in the section. The purpose of this section is to prevent Fourth Amendment issues that can arise for municipalities. Second, the "social media" clause that was added was taken straight from the League of Kansas Municipalities samples for handbooks.

Mayor Mack Smith noted that the new personnel handbook with all of the edits mentioned this evening will be included in the next Council packet. Mayor Smith also added that the residency requirements for employment as well as the performance evaluations have been eliminated from the new handbook. Mayor Smith explained that after the new handbook is approved, vacation time will be prorated from January 2023 for current employees.

Councilmember Robinson inquired about a drug and alcohol policy for the City. City Attorney Luckman noted that drug and alcohol testing was limited to safety-sensitive employees.

Council reviewed the Standard Traffic Ordinance. Motion was made by Councilmember Fisher and seconded by Councilmember Pegram that said ordinance be accepted as written and was then placed on final passage by roll call of the following vote: AYE: Brad Bryant, Jake Fisher, Steve Pegram, Heath Robinson and Larry Ross (5). Ordinance was declared passed and was given No. 2575.

Council also reviewed the Uniform Public Offense Code. Motion was made by Councilmember Robinson and seconded by Councilmember Fisher that said ordinance be accepted as written and was then placed on final passage by roll call of the following vote: AYE: Brad Bryant, Jake Fisher, Steve Pegram, Heath Robinson and Larry Ross (5). Ordinance was declared passed and was given No. 2576.

USD 372 Superintendent Brad Womack presented an update to Council on the USD 372 and City of Silver Lake Land Swap. USD 372, Silver Lake Schools proposes that the school district and the City of Silver Lake adjust the boundary lines between adjoining properties to benefit the district and the patrons of the City of Silver Lake. Council directed Superintendent Womack to work with the engineering firm and to return to Council with a formal request. City Attorney Luckman noted that the current Council cannot bind future Councils at this time, but that it is the general sense of Council to proceed.

City Attorney Luckman left the meeting.

City Clerk Steckel presented the quarterly financial report to Council.

Police Officer Doug Ashcraft presented the monthly activity report to Council. Officer Ashcraft reported that the marked 2020 Durango was back in service after having the air conditioner repaired. Officer Ashcraft thanked Council for allowing him to get the air conditioner fixed in his vehicle. Officer Ashcraft reported that the marked 2020 Durango still needs to have the radar fixed but that it is in the budget for 2024. Officer Ashcraft requested to send the Police Department Administrative Assistant to a car seat safety technician class for three days, from September 19th through September 21st, in Wamego, Kansas. The price of the class is 95.00 dollars. Council directed Officer Ashcraft to send the Police Department Administrative Assistant to the class. Officer Ashcraft reported that Police Department Staff will be serving hot dogs for the United Methodist Church's Annual Back-to-School Bash on August 13th.

Public Works Superintendent Cary Deiter presented the monthly public works report to Council. Deiter reported that there had been a water main break last Sunday, under a driveway in town. During the emergency, Cary's team had shut down six valves but were not able to get the water off at that particular main. Deiter reported that they were still waiting on Evergy to move their power pole to give the City access to shut off a fire hydrant that needs to be replaced. Deiter stated that he did not want to shut water off due to a lack of valves because if we did so, we would end up in a boil advisory. Superintendent Deiter and Councilmember Fisher discussed a need to strategically install new valves throughout the City. Deiter would like to start this process next June and install 4 new valves at a time (done in a single day), and install a total of 16 each year, until the project is complete. The cost to replace a valve is approximately 3000 dollars with labor. Mayor Mack Smith recommended that Cary speak with City Engineer Pat Cox and one of the commissioners to begin planning this project.

Council directed Superintendent Deiter to proceed with park improvements to include removing the fence enclosing the shelter house, improvements of the pickleball court, and opening up the fence around the court to allow the planting of grass and mowing.

City Clerk Steckel presented a list of budgeted, actual and potential future donations to Council. Council directed City Clerk Steckel to include a total of 15000 dollars for donations in the 2024 budget.

The updated Capital Improvement Plan was presented to Council. Councilmember Robinson made a motion to adopt the Capital Improvement Plan as amended. The motion was seconded by Councilmember Ross and passed.

Council discussed potential uses for a sales tax revenue that would be generated if the citizens of Silver Lake vote yes to the question on the ballot in November. Additional revenue generated from such sales tax would provide an adequate level of public services within the City, including funds for repairs, replacements and improvements of City infrastructure and other capital improvements as may be in the best interest of the City. Councilmember Pegram reminded Council that a 1% sales tax could have produced 124000 dollars in 2023. The City's assessed valuation is 12900 dollars. This means that in order to generate the same revenue as a 1% sales tax, the City would need to raise the mill levy by ten(10) or more. The difference between a sales tax and a mill increase is that a sales tax would add 1% to each dollar spent in Silver Lake, no matter who is spending it. A mill increase would only effect property owners in the City limit. Council directed City Clerk Steckel to place an informative flyer including the ballot question for November, on the City's website, as well as on a flyer to be distributed at Wehner's Thriftway.

Council approved the final draft of the 2024 budget to be reviewed at the Budget Hearing, Monday, August 21, 2023 at 5:30 PM.

Assistant Clerk Marie Beam informed Council that office staff was unaware of a potential on-call policy while composing the 2024 budget, and she reminded them that they have not budgeted for such policy for 2024. Mayor Mack Smith assured Mrs. Beam that the on-call policy is a tool to be used if the City needs it.

Council directed City Clerk Steckel to approve a temporary road closure request for Lake Days, for October 7. Mrs. Steckel was also directed to donate the use of the Community Center to Lake Days from 2pm on October 6th through the end of the day on October 7th.

Council directed City Clerk Steckel to donate the use of the Shelter House to Silver Lake United Methodist Church on September 10th, from 9 AM until 1 PM for a community church service.

City Clerk Steckel proposed September 16th as a potential day for the City's Fall Clean-up, a semi-annual event where free dumpster service is provided to the citizens. Council directed Mrs. Steckel to proceed with planning the event for that day.

City Clerk Steckel requested to renew the City's annual Neptune subscription, which exceeds the 800-dollar spending limit at a cost of 1177.89 dollars. Councilmember Ross made a motion to pay 1177.89 dollars for the annual subscription for Neptune. The motion was seconded by Councilmember Bryant and carried.

Councilmember Ross thanked the Public Works team for quickly taking care of a dead tree situation in town.

Councilmember Pegram announced to Council that the barbers next door at Priddy Parlor gave out 43 free back-to-school haircuts at an event last Friday, along with school supplies to the children. Pegram noted that it was nice having such an event in town, and the food and coffee trucks stayed busy for that entire day.

Councilmember Fisher thanked City Clerk Steckel and Assistant Clerk Beam for going over the budget for water meters and hydrants, as well as for brainstorming a long-term valve plan with him and Mr. Deiter.

Councilmember Fisher suggested that the City start a Facebook Page for the purpose of promoting City events and as a method of communicating with the citizens. Superintendent Deiter noted that during the recent water main break, he reached out to City Clerk Steckel and she was able to use public Facebook pages of local community organizations to get the word out to citizens. Deiter added that it would be ideal to have a City page for this purpose. Mayor Mack Smith asked City Clerk Steckel to add this to the next agenda and to come back with something to make people feel more comfortable with the idea of a City Facebook Page.

Council directed Mayor Smith to renew the annual agreement with Meals on Wheels. Mayor Smith asked that everyone help spread the word about the services provided in Silver Lake by Meals on Wheels.

Mayor Mack Smith informed Council that City Engineer Pat Cox checks in with Mayor Smith each week. Mayor Smith encouraged Council and Staff to consult with Cox on any large City projects.

The next meeting is scheduled for Monday, August 21, 2023, at 5:30 PM. The 2024 Revenue Neutral Rate Hearing and the 2024 Budget Hearing will take place on August 21, 2023 at the beginning of the meeting.

The following two meetings are scheduled for Thursday, September 7 and Monday, September 18, both at 5:30 PM.

Councilmember Ross made a motion to adjourn the meeting at 7:33 PM. Councilmember Robinson seconded the motion and with nothing further to come before Council, the meeting was adjourned.



Liz Steckel, City Clerk