

**CITY OF LE CENTER
REGULAR COUNCIL MEETING
TUESDAY, NOVEMBER 13, 2018 - 7:00 PM**

**** MINUTES ****

I. CALL TO ORDER

Present: Mayor Fredrickson, C. Harmeyer, J. Weiers, D. Woelfel, C. Scott
Absent: None (Attorney Moran absent)

II. APPROVAL OF MINUTES

- A) Motion by Harmeyer, Seconded by Weiers, Minutes from October 9, 2018 Regular Council Meeting be approved. Approved unanimously.
- B) Council changes to Agenda: Move Up: Admin. A) Mayoral Proclamation
Remove: Old Bus. D) County pond discussion

III. APPROVAL OF BILLS TO BE PAID

Council reviewed the bills to be paid. Motion by Woelfel, Seconded by Harmeyer, to pay the bills listed and due. Approved unanimously.

IV. REPORTS OF OFFICERS, BOARDS, COMMITTEES, & DEPARTMENTS

A) E.D.A. Report

Director Collins reported no meetings; no report. Collins reported he will attend the Economic development & education conference in Hutchinson on Nov. 15.

B) P & Z Report

Director Corey Block presented five action items for the council to consider from the Nov. 8th P & Z public hearings: 3 ordinance changes & 2 conditional use permits.

- 1) Accessory Shed/Structure Ordinance Amendment #2018-4: would allow sheds to be placed two (2) ft. off the property lines, same as fences, in all four residential zones. Amendment approved unanimously by P & Z and recommended up to the council. Motion by Harmeyer, Seconded by Woelfel, to adopt amending ordinance #2018-4, thereby allowing accessory structures to be placed 2 ft. off property lines. Approved unanimously.
- 2) Parking Regulations/ Storage in the open Ordinance Amendment #2018-5: regulates the number and type of items stored out in the open residential areas on grass; requires impervious surfaces and green space considerations. Amendment approved unanimously by P & Z and recommended up to the council. Motion by Harmeyer, Seconded by Scott, to adopt amending ordinance #2018-5, thereby regulating the number, how, and what may be stored out in the open yard. Approved unanimously.

3) Survey Required OR in lieu of survey Ordinance Amendment #2018-6: would regulate when a full survey OR information provided in lieu of survey would need to be provided for new construction or remodel projects. Amendment approved unanimously by the P & Z and recommended up to the council. Motion by Harmeyer, Seconded by Scott, to adopt amending ordinance #2018-6, thereby either requiring a full survey OR all listed information provided on the site plan in lieu of a full survey. Approved unanimously.

4) Mike Cemensky request for conditional use permit @ 50 South Cordova Avenue: Mr. Cemensky was seeking a C.U.P. for a moved in house onto that lot. Conditional uses were discussed and attached to the project. P & Z approved the C.U.P. and recommended it up to the council based on these Findings of Fact:

- 1) The rambler house aesthetically wouldn't be an issue.
- 2) The residential lot has been vacant for approx. 10 years.
- 3) Current building codes will be followed.
- 4) All other ordinances not specifically addressed in Conditions can be adhered to.

Motion by Harmeyer, Seconded by Weiers, to approve the C.U.P. based on the Conditions attached and the Findings of Fact and pending the house inspection approval by the city building official. Approved unanimously.

Motion by Scott, Seconded by Harmeyer, to set the Letter of Credit amount for this project at \$80,000.00. Approved unanimously.

5) Michael Slattery request for a conditional use permit @ 175 East Derrynane Street: Mr. Slattery was seeking a C.U.P. to operate an assisted living facility in an R-2 zone. Slattery had supplied a Business Plan dated 8/26/18 outlining his proposed affordable senior housing in Le Center. Conditional uses were discussed and attached to the project. Many residents spoke and asked questions at the hearing. P & Z approved the C.U.P. and recommended it up to the council based on these Findings of Fact:

- 1) An assisted living facility is in demand in the city that this proposal could fill.
- 2) There were no members of the public that spoke against the proposal, nor did the city receive any letters against the proposal. Most were very much in favor.
- 3) This building had been built originally to operate as an assisted living facility.

There were many questions asked of Mr. Slattery by the mayor and council concerning the housing of felons and/or sex offenders at the facility. Slattery referred to his business plan that states none of those will be allowed and every resident will have a background check done on them before being allowed in. Mr. Slattery stated there will be a RN in charge of the medical services being offered at the facility. Motion by Harmeyer, Seconded by Weiers, to approve the C.U.P. (with changes) based on the Conditions attached, the Findings of Facts, and the statements made by Mr. Slattery during council discussion. Approved unanimously.

C) Municipal Liquor Store

Manager Brad Collins gave the October report: Sales were \$75,502: down \$8,000 from September, but up \$2,800 from Oct. 2017. YTD Rev. up by \$26,000 & YTD Exp. up by \$38,000. Oct. GP margin = 38.12%. Food GP = 30.52%. Collins also reported: Oct. beer & wine tasting with Legion was ok sales. Nov. Holly Daze parade on Sat. Nov. 24.

Collins referred to the latest state audit of municipal liquor stores: Le Center sales were in the top 90 of 190 in gross sales/ top 25 of 190 in net profit/ and the #1 combo On and Off Sale municipal liquor store. Council congratulated Collins on those numbers.

- 1) Mayor Fredrickson read resolution stating city was opposed to allowing beer, wine, & spirits to be sold at any other outlet other than city municipal liquor store. After some discussion: Motion by Woelfel, Seconded by Harmeyer, to approve the resolution as read. Approved unanimously.

D) Police Department

Police Chief Pfarr reported on the police activities for month of October: 208 calls @ 2,489 miles patrolled/ total calls up 14%, total miles even for the year. Pfarr reported: many gas drive-offs at Casey's Store/ child protection issues/ pursuit driving classes.

E) Water, Sewer, Streets, Parks Departments

Public Works Supt. Curt Roemhildt reported:

- Streets- finished street sweeping (400 yds leaves hauled) & then sanded the next day.
- Sewer plant- completed bio-solids hauling onto our 80 acre farm field.
- Refuse- chipper is done for the season on Saturday mornings.
- Refuse- garbage pickup will be on Wednesday before Thanksgiving Day.

F) Bolton & Menk Engineering

Engineer Hawbaker reported: No report: county pond discussion pulled from agenda.

ADMIN. A) Mayoral Proclamation: Mayor Fredrickson read and did so proclaim November 12 – 16 as American Education Week. TCU Le Center K-8 Principal Brian Grensteiner spoke on American Education Week and the activities partaken at the school.

V. PUBLIC FORUM

There was no public comment on the 2019 proposed budget and/or levy amounts.

Erin Buckingham of TCU Youth Soccer spoke on the state of the soccer programs and the conditions & lack of soccer fields in the three TCU School cities.

Andrew Harmon, President of the Le Center Chamber asked permission to hang a plaque at city hall with the names of each year's Chamber Holiday Lighting Contest winners. Permission was granted by the council.

There were no other petitions, requests, comments, or communications from the general public.

VI. OLD BUSINESS

- A) Le Center City Council serves as the “Canvassing Board” for the City of Le Center. Final totals from the Nov. 6 General Election compiled by the county show Josh Fredrickson elected as Mayor and Jennifer Weiers & Nathan Hintz elected as Councilmembers. Motion by Harmeyer, Seconded by Scott, to adopt **Resolution No. 2018F**, thereby approving the final election totals from the November 6 City Election. Approved unanimously.
- B) Motion by Harmeyer, Seconded by Weiers, to approve the Assessment Certification list of delinquent utilities and abatements to the county auditor for collection. Approved unan.
- C) Committee member Christian Harmeyer updated the council on the next big city street reconstruct project; north end of the city: Committee had met and discussed the project and the timing of project. It was determined by committee that it was too late to plan for, get good bids, and complete the project during 2019. So committee was recommending the project go in 2020; with planning and engineering work starting spring 2019.

VII. NEW BUSINESS

- A) Mayor Fredrickson announced the final 2019 levy and budget “public comment meeting” for Tuesday, December 11 @ 7:00 pm. Public comments will be allowed.
- B) Mayor Fredrickson announced the time, place, phone, & address where to contact the city for any and all public comments on the 2019 proposed budget and levy.
- C) Motion by Harmeyer, Seconded by Weiers, to approve the 2019 City/County Recycling Services Agreement; same as 2018. Approved unanimously.
- D) Peter Thelemann, renter of city 80 acre farm field, reported that the neighboring property to our 80 ac. land is littering heavily onto our property; as he previously reported to city staff. City staff and police had investigated this, took pictures, and turned it all over to the county sheriff’s office and environmental office for action. Nothing has been done. County Commissioner Lance Wetzel (present) offered to check into this and report back to the council at the next meeting.

VIII. ADMINISTRATION & MISC.

- A) Mayoral Proclamation: SEE ABOVE.
- B) Mayor Fredrickson reminded all councilmembers to get their salary & reimbursement requests into city staff for Dec. meeting.

IX. ADJOURNMENT

There being no further business; Motion by Woelfel, Seconded by Weiers, for Mayor Fredrickson to adjourn the meeting. Approved unanimously. 8:30 PM.