



CITY OF COUNCIL GROVE • 205 UNION STREET • PO BOX 313  
COUNCIL GROVE, KS 66846 • 620-767-5417 • COUNCILGROVE.COM

**City Council Agenda  
March 19, 2024  
5:30 P.M. - City Hall**

WELCOME AND CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

PUBLIC COMMENT PERIOD

Items not already on the agenda may be brought before the Governing Body. People must sign in to be eligible. (**Three-minute maximum time limit**). After three minutes, items will then be voted on to see whether to place the item on the next agenda.

**CONSENT AGENDA:**

- Minutes from the Previous meeting:
- Appropriations:
- Cabin Transfers: N/A

Pages 2 – 4

**Motion:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_ **Action:** \_\_\_\_\_ **Abstention:** \_\_\_\_\_ **Este. Cost:** \_\_\_\_\_

**OLD BUSINESS:**

- Chicken Ordinance: #2266

Pages 5 - 6

**Motion:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_ **Action:** \_\_\_\_\_ **Abstention:** \_\_\_\_\_ **Este. Cost** \_\_\_\_\_

**NEW BUSINESS:**

- Pauline Sharp – Kaw Nation

**Motion:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_ **Action:** \_\_\_\_\_ **Abstention:** \_\_\_\_\_ **Este. Cost** \_\_\_\_\_

- Jamie Nittler Johnson – Morris County Health Department – Digital Sign on City Easement Pages 7 - 9

**Motion:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_ **Action:** \_\_\_\_\_ **Abstention:** \_\_\_\_\_ **Este. Cost** \_\_\_\_\_

- Shannon Reid-Wheats – Council Grove Library Report

**Motion:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_ **Action:** \_\_\_\_\_ **Abstention:** \_\_\_\_\_ **Este. Cost** \_\_\_\_\_

- Jim Crosby – Together with Veterans and Morris County

**Motion:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_ **Action:** \_\_\_\_\_ **Abstention:** \_\_\_\_\_ **Este. Cost** \_\_\_\_\_

- Jim Crosby – Softball Club

**Motion:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_ **Action:** \_\_\_\_\_ **Abstention:** \_\_\_\_\_ **Este. Cost** \_\_\_\_\_

- Utilities Committee Recommendation: Curtis Watson

Page 10

**Motion:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_ **Action:** \_\_\_\_\_ **Abstention:** \_\_\_\_\_ **Este. Cost** \_\_\_\_\_

- Office Committee Recommendation: Stanley Bartley

Page 11

**Motion:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_ **Action:** \_\_\_\_\_ **Abstention:** \_\_\_\_\_ **Este. Cost** \_\_\_\_\_

- Executive Session – City Lake – Pat Riordan

**Motion:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_ **Action:** \_\_\_\_\_ **Abstention:** \_\_\_\_\_ **Este. Cost** \_\_\_\_\_

**Governing Body Comments:**

**Adjournment:**

City Council Meeting Minutes  
March 5, 2024

**WELCOME AND CALL TO ORDER**

Mayor Debi Schwerdtfeger called the regular City Council Meeting to order. Council members present were Jason Booker, Mark Berner, Denise Hartman, Sean Honer, Nathan Adams, and Sharon Haun, also present were the City Administrator Nick Jones and City Attorney Brian Henderson and Molly Priest, Others attending were Jan Sciacca, Josh Sciacca, John Messer, Pastor Billy Kryger, Ryan McDonald, Brian Foster. Andrew Fagan, Marty Wright, Sharon McVay, Fred Bammes, Karen Exon, Chris Sederlin, Jason Loader, Zoey Bond,

**PLEDGE OF ALLEGIANCE**

**INVOCATION:**

John Messer

**PUBLIC COMMENT PERIOD**

Andy Benning asked the Council if he could ask questions during the presentation from Kaw Valley Engineering regarding the City Lake Plat. Mayor Schwerdtfeger said she would allow some questions.

**CONSENT AGENDA**

Councilperson Sean Honer made a motion to approve the Consent Agenda as presented in the packet. Councilperson Jason Booker seconded the motion. Motion Carried 6 – 0. The consent agenda consisted of:

- February 6, 2024, Minutes
- February 6, 62024, to Current Appropriations.

**OLD BUSINESS**

- **Animal Ordinance #2265:**  
City Brian Henderson presented Animal Ordinance #2265, which incorporated all of the changes the City Council agreed to change. After discussion Councilperson Jason Booker made an emotion to approve Ordinance #2265. The motion was seconded by Councilperson Mark Berner. Motion carried 6 – 0

**NEW BUSINESS**

- **Kaw Valley Engineering: Chris Sederlin: City Lake Plat:**  
Chris Sederlin and Jason Loader with Kaw Valley Engineering presented the City Lake Plat to the City Council. The plat consisted of defining roads and easements and right of way. The Plat also consisted of estimated water and sewer placement in the easements. Jason Loader said there are some areas in D section that are not currently in the boundary lines of the City Lake property. Chris Sederlin said the water and sewer will need adjusted to fit or adjust the easement to make them fit. No Action Taken
- **BG Consultants: Brian Foster - Preliminary Engineering Reports for Water and Sewer:**  
Brian Foster with BG Consultants presented to the Council the Water and Sewer Preliminary Engineering Reports. Mr. Foster started the meeting by informing the Council that GIS mapping is complete, and they are ready to assist the city in getting the benefit of the system. Mr. Foster presented the overview below of the Water Distribution System along with recommendations for replacement of the Distribution System.
  - Average Water loss of 21.1%
  - The total length of the system is approximately 139,664 feet (≈26.5 miles)
  - The system was started in 1887 with 21,000 feet of cast iron mains.
  - There is currently 78,500 feet (56% of the system) of cast iron mains in the system that is believed to be at or over 100 years old.
  - iv) About half the system is 4" in diameter or less, which is generally considered undersized for fire protection.
  - Average about 20 Leaks per year
- Distribution Recommendations
  - It is recommended to replace all of the 78,500' of old cast iron main, which could cost over \$16 million.
- ii) Highest Priority
  - Project 1 - Neosho River Crossings
  - Project 2 - Chautauqua & Columbia Street (Upsize)

- Project 3 - Sunset Drive and Hwy 56
- Project 4 - 11th, 4th, and Welch Street
- Total Opinion of Cost = \$2,248,526
- Mr. Foster presented the overview below of the Sewer Collection System along with recommendations for replacement of the Sewer Collection System.
- Collection System
  - The total length of the system is approximately 69,588 feet (≈13 miles)
    - ii) City has performed improvements/rehabilitation throughout the system, however approximately 12,000' of old clay mains still require rehabilitation.
    - iii) CCTV and Manhole inspections were performed in these areas.
    - Significant amounts of groundwater was observed entering the system
    - (2) 35 Point Repairs were identified.
  - Collection System Recommendation
    - Project 1 – Point Repairs, Pipe Lining, and Taps on Main St \$1,660,815
    - ii) Project 2 – Manhole Rehabilitation, and remaining taps. \$1,370,005
    - iii) Total Opinion of Cost Projects 1 & 2 \$3,030,820
  - Potential Funding
    - KDHE SRF
    - Pre-Applications to get on IUP previously submitted (due June 15th)
    - ii) The collection system was not eligible for any loan forgiveness
    - iii) The Water Project was eligible for \$660,000 in loan forgiveness but fell below the funding line.
    - b) USDA Rural Development
    - 40 Year Loan with potential for Grant based on User Rates
    - c) Kansa Water Office (KWO) Grants
    - New program for about anything water related and is split into two categories.
      - Prioritizes populations under 2,000
      - (2) Prioritizes projects with early start dates, permits obtained
      - (3) Prioritizes conservations and/or climate change resiliency
      - (4) Considers community factors (Public Health, socioeconomic, need)
  - ii) Technical Assistance Category for studies and design and additional grant applications
    - Limit of \$1M
  - iii) Projects Category for construction or repayment of KDHE Loans
    - Limit of \$8M
  - Additional programs through the Infrastructure Act?
    - 5. Potential Rate Impacts
    - 20-year KDHE Loan @2.25% would have a Annual Payment of \$62,642 for every \$1M borrowed.
  - Based on 1,258 users, that would add \$4.15 per month to the average water bill.
- **Council Grove Area Trade & Tourism Association: Executive Director Zoey Bond:**  
 Zoey Bond with the Council Grove Area Trade & Tourism Association presented to the Council the First Quarter 2024 Summary. Executive Director Bond said that the current membership is 101 & counting, and that the website has had 5,449 visitors along with being #4 on TravelKS.com. Executive Director Bond said the goals for 2024 are to increase networking opportunities, outreach to surrounding communities, focus on out signature events, and continue to grow marketing initiatives. Executive Director Bond said the city's website traffic has increased by 3% with a 12% increase in Facebook engagement. There have been 12 Amphitheater inquires fielded and 32 website updates made.
- **Discussion: Transportation Alternatives projects (TA Program) Grant: Street Scape**  
 City Administrator Nick Jones informed the Council that the city has submitted a concept map to the KDOT TA Program for streetscape project for the East and West sides of town. The project will focus on ADA sidewalk replacement, crossing improvements and beautification. The project is estimated to be 1.6 million with an 25% to 30% match. Administrator Jones said we should receive a response by the end of March if they will fund the projec

**GOVERNING BODY COMMENTS**

- **Mayor Debi Schwerdtfeger** – asked City Attorney Brian Henderson to draw up verbiage to change the number of chickens allowed in Council Grove from 4 to 8. The mayor also scheduled a work session for Tuesday, March 26<sup>th</sup> at 5:30pm.
- **Councilperson Mark Berner** – N/A
- **Councilperson Denise Hartman** – said the Community Theater was awesome!
- **Councilperson Sean Honer** – asked whether Council Grove should have an annual fireworks display. Administrator Jones said that it cost \$25,000 - \$30,000 annually for the show. Councilmen Honer said he did not think it brought extra people to town and suggested it take place every other year.
- **Councilperson Nathan Adams** – said with all the expenses it made sense to sacrifice next year's fireworks show.
- **Councilperson Sharon Haun** – Thanked the city crews for cleaning off the roads
- **Councilperson Jason Booker** – N/A
- **City Attorney Brian Henderson** – N/A
- **Assistant City Attorney Molly Priest** – N/A
- **City Administrator Nick Jones** – said the bid results of the Highway 56 resurfacing are complete. Shilling Construction won with a bid of \$306,699. Other bidders were APAC-Kansas Inc. \$327,175.83 and Bettis Asphalt and Construction \$331,698.01. The engineer estimate was \$426,601. Administrator Jones also asked for permission to submit a application for Mill N Overlay on the west portion of Highway 56 from Belfry to West City Limits. The Council gave the ok to move forward. Jones also thanked the John E. Termby Foundation Committee for the \$5,000 grant for the 4<sup>th</sup> of July Fireworks Show.

Mayor Debi Schwerdtfeger asked for a motion to adjourn. Councilperson Jason Booker made a motion to adjourn. Councilperson Sean Honer seconded the motion. Motion carried 6 – 0

\_\_\_\_\_  
Debi Schwerdtfeger                      Mayor

ATTEST:

\_\_\_\_\_  
Nick Jones                      City Administrator

**ORDINANCE NO. 2266**

AN ORDINANCE AMENDING SECTION 2-402 OF THE CODE OF THE CITY OF COUNCIL GROVE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COUNCIL GROVE, KANSAS:

**Section 1.** That Section 2-402 "Keeping of Chickens" is hereby amended to read as follows:

**2-402. Keeping of chickens.**

(a) Except when prohibited by subdivision covenants, conditions and restrictions, it shall be lawful for person(s) to keep, permit or allow domesticated chickens within the corporate limits of the City under the following terms and conditions:

- (1) No more than eight hens shall be allowed for each single-family dwelling. No chickens shall be allowed in multi-family complexes included duplexes.
- (2) No roosters shall be allowed.
- (3) There shall be no outside slaughter of chickens.
- (4) All chickens must be kept at all times in a secure enclosure.
- (5) Enclosures must be in backyards and must be situated at least 3 feet from the edge of the property line of any neighbor or any public right of way, and at least 25 feet from any neighbor's home.
- (6) Enclosures must be kept in a neat and sanitary condition at all times, and must be cleaned on a regular basis so as to prevent offensive odors.
- (7) All chicken feed must be stored in a rat proof container.
- (8) Persons wishing to keep chickens within the City must obtain a permit from the office of the City Clerk. The location of the chickens shall be inspected annually by the City Clerk or his designated agent. Chicken keepers must pay a \$20.00 annual fee.
- (9) If the keeper of the chickens is not a property owner, written consent of the property owner is required before a permit will be issued.

(b) It shall be unlawful for any person to permit or allow any chicken(s) to run at large within the corporate limits of the City of Council Grove.

(c) This section shall not be effective at the Council Grove Lake Park.

(d) This section is specific to chickens and section 2-401 remains in effect regarding other fowl, including guineas.

(e) Any person violating the terms and conditions of this section shall be fined not less than \$50.00 nor no more than \$250.00. Additionally, the Municipal Judge shall have the authority to order and cause the destruction of any excessive number of hens and any roosters.

**Section 2. EFFECTIVE DATE.** This Ordinance shall take effect upon its publication in the official City newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY COUNCIL ON THIS 19th DAY OF MARCH 2024.

\_\_\_\_\_  
Debi Schwerdtfeger, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

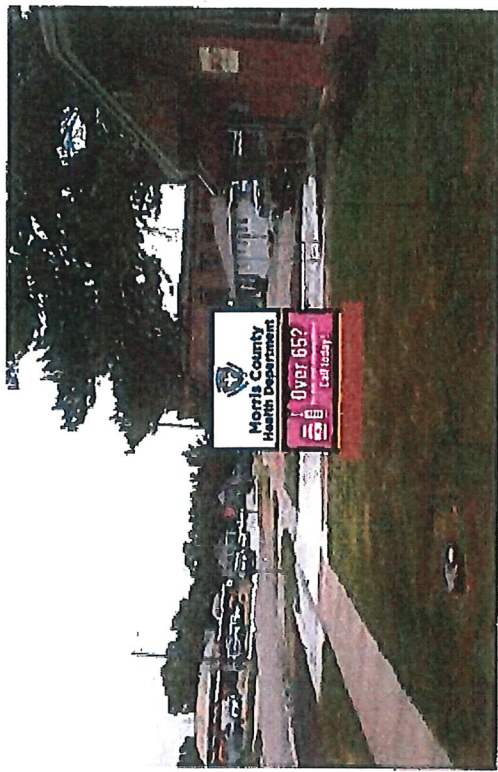
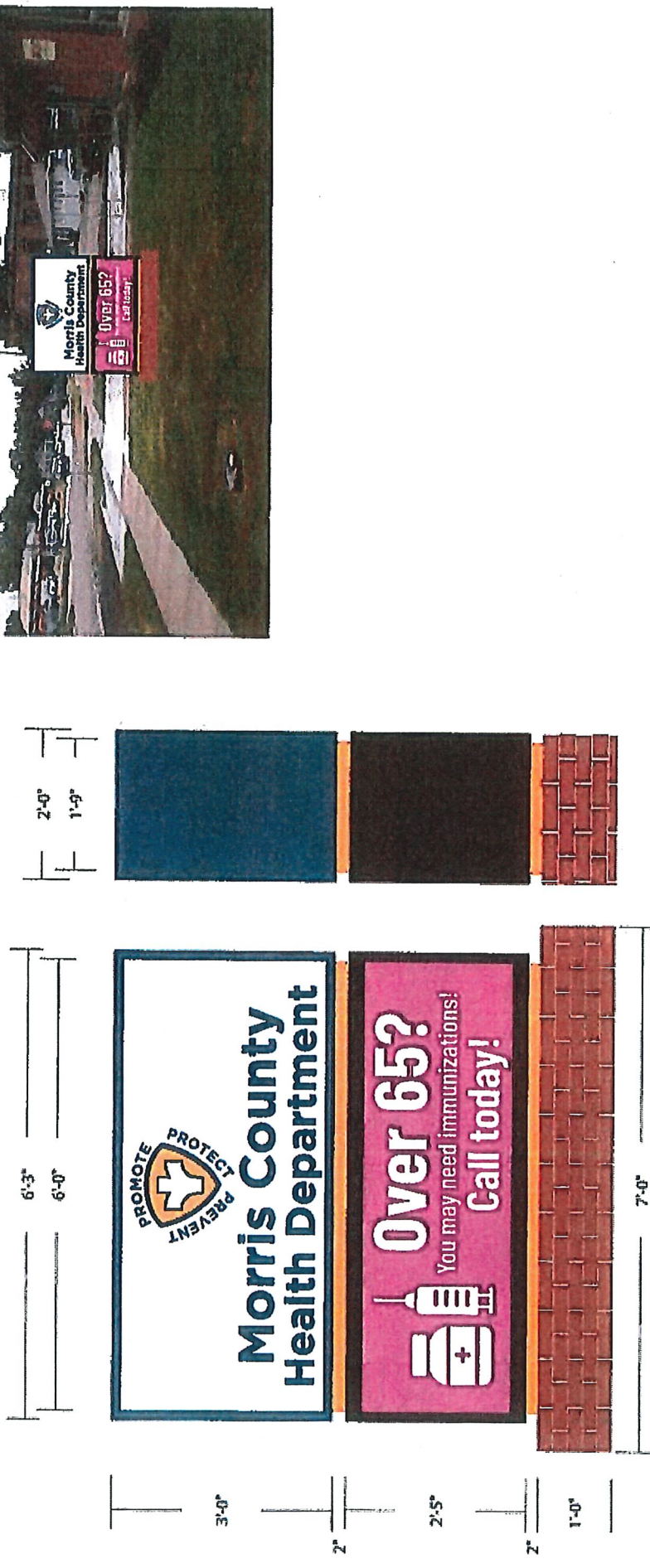


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## Morris County Health Department

Jamie Nittler Johnson representing the Morris County Health Department is requesting the Council allow the placement of a digital sign on city easement in front of the Morris County Health Department.





ALL NOTED DIMENSIONS ARE APPROXIMATE AND MAY BE MODIFIED SLIGHTLY DURING MANUFACTURING TO ALLOW PROPER COMPONENT USAGE.

<b>SPECIFICATIONS</b> • DOUBLE-FACED, INTERNALLY-ILLUMINATED, ALUMINUM MONUMENT SIGN PAINTED BLUE AND GOLD - COLORS TO BE DETERMINED. • WHITE FACES WITH APPLIED VINYL IN BLUE AND GOLD. • LED ILLUMINATION. • 10MM, .60 X 1.80 MATRIX, FULL COLOR LED MESSAGE CENTERS. • INSTALLED ON BASE WITH FAUX BRICK TO MATCH BUILDING.	<b>CUSTOMER:</b> MORRIS CO HEALTH DEPT <b>NAME:</b> <b>LOCATION:</b> 221 HOCKADAY COUNCIL GROVE, KS 66846	<b>DATE:</b> 12/11/23 <b>DESIGN NO:</b> VB-J22143 <b>ARTIST:</b> AW <b>SCALE:</b> 1/2" = 1' • 1/8" = 1'	 <b>LUMINOUS NEON INC.</b> ART & SIGN SYSTEMS
	<b>APPROVED:</b> _____ <b>DATE:</b> _____		

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# PROPOSAL



Remit Payment to:  
 Luminous Neon, LLC  
 1 Compound Drive  
 Hutchinson, KS 67502

**Job Quote:** J22143  
**Date:** January 16, 2024  
**Customer No.:** C08779  
**Requested By:** Jamie Johnson

**Bill To:**  
 MORRIS COUNTY HEALTH DEPARTMENT  
 ATTN: JAMIE JOHNSON  
 221 HOCKADAY  
 COUNCIL GROVE, KS 66846

**Job Location:**  
 MORRIS COUNTY HEALTH DEPARTMENT  
 221 HOCKADAY  
 COUNCIL GROVE, KS 66846

Job No.	Salesperson
J22143	Virginia Baumgartner

Luminous Neon, LLC. hereby proposes to furnish all the materials and perform all the labor necessary for the completion of items detailed below. Customer is agreed to be as indicated in "Bill To" above.

Description	Total Price
At the Morris County Health Department: 1) survey to verify exact location for permitting 2) dig, set and pour foundation with mow pad 3) provide and install a new double-sided monument sign with 3' x 6'3" logo cabinet to include name and logo in blue and gold, above a 2'5" x 6'3" 10mm full color Watchfire message center with 60 x 180 matrix, 2' x 6' viewing area, Ignite OPx software and broadband wireless communications, with 12" tall faux brick to closely match the building 4) take completion photos Drawing VB-22143 NOTES: The City requires a message center to be turned off between 10 pm and 6 am. Primary electrical by others.	\$39,450.00

Subtotal: \$39,450.00  
 Total Sales Tax: 0.00  
 Total: \$39,450.00  
**TERMS: 50.0% DOWN \$19,725**  
**BALANCE DUE UPON COMPLETION**  
 (INTEREST OF 1.2% PER MONTH WILL BE ADDED TO PAST DUE ACCOUNTS)

**THIS PRICE DOES NOT INCLUDE ELECTRICAL HOOKUP, PERMITS, ENGINEERING OR TAX UNLESS SPECIFICALLY STATED. DESIGN(S) PROVIDED WITH THIS PROPOSAL IS (ARE) THE PROPERTY OF LUMINOUS NEON, LLC. RIGHTS ARE TRANSFERRED UPON ACCEPTANCE OF THIS PROPOSAL.**

All materials used are of the highest quality. All work to be completed according to standard practices. Any alteration from specifications must be upon written order and charges adjusted. All agreements are contingent upon strikes, delays or accidents beyond our control. Our workmen are fully covered by workmen's compensation insurance.



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### Utilities Department Recommendation

The Utilities Department recommends the Council appoint Curtis Watson to Water Department Apprentice at a pay rate of \$16.00 per hour. This appointment is contingent upon completing a background check, physical, and drug/alcohol screening.



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### Office Committee Recommendation

The Office Committee recommends the Council appoint Stanley Bartley to City Inspector at a payrate of \$28.00 per hour. The appointment is contingent upon completing a background check, physical, and drug/alcohol screening.