

LINDSBORG CITY COUNCIL

August 3 – 6:30 p.m.

Meeting Minutes

MEMBERS PRESENT:

Becky Anderson, Rebecca Van Der Wege, Rick Martin, Ed Radatz, Kirsten Bruce, Blaine Heble, Jodi Duncan, Emile Gallant, Mark Friesen

ABSENT: None

OTHERS PRESENT:

Greg DuMars, Chief Davis, Chris Lindholm, Lucas Neece, Larry Lindgren, Gary Shogren, Bill Gusenius, Kimi Haigh, Liz Lahodny, Corey Peterson, Suzanna Swenson, Merle Larson, Holly Lofton, Roxie Sjogren, Cal McNichols, Allena McNichols

The meeting was called to order at 6:30 p.m. by Mayor Becky Anderson followed by the pledge of allegiance.

PUBLIC INPUT:

Corey Peterson, owner of the Hemslojd, requested a change to Ordinance No. 5240 regarding Section 2, Item 2a.

AMENDMENTS TO THE AGENDA:

Councilman Mark Friesen requested that, as an agenda item, Council consider the changes to Ordinance No. 5240 requested by business owners.

MAYOR'S REPORT:

Tomorrow is election day, there are 4 polling locations in Lindsborg open from 7am-7pm. August 16 will be the last day for the swimming pool as high school sports start on the 17th. Bethany College will welcome students back to campus starting August 5. Ordinance No. 5240 went into effect on July 30. Please care about your fellow citizens, wear a mask, social distance, use good hygiene and hand washing.

CONSENT AGENDA: Rick Martin moved to approve the minutes of the July 20, 2020 regular council meeting, Payroll Ordinance 5242, and Purchase Order Ordinance 5243. Motion seconded by Mark Friesen and passed, unanimously by roll call vote.

APPOINTMENTS: No report

PLANNING & ZONING: No report

OLD BUSINESS:

LAND SALE

The platting of Rolander-Shields 2nd Addition in 1976 resulted in an undevelopable lot on the south side of Normal Street, from Washington Street to Main Street. This was caused by the need to align old Normal Street, platted, and laid out in the 1800s, with the new Normal Street designed into the new subdivision. It is assumed that the parcel was deeded to the City when the plat was recorded. It has an appraised value of \$8890 but is exempt from property tax because it is institutionally owned.

For all practical purposes, the land is treated as City right of way, and the two adjacent landowners maintain the grounds from their property line to the curb. The owner of the apartment complex has expressed interest in purchasing the portion adjacent to his property, and recently offered \$500.

Staff has reviewed the request and considered a plan to develop the area between curb and existing building. It was the determination of staff that the space does not provide adequate setback for any significant development. Despite this limitation, the owner still wants to follow through with the purchase.

Attached is a copy of the Quit Claim Deed prepared by the City Attorney which has the legal description of the property under consideration.

Ed Radatz moved to sell a tract of land as described in the attached Quit Claim Deed Exhibit A to Virginia Properties, LLC in the amount of \$500.

Seconded by Emile Gallant and passed unanimously by roll call vote.

NEW BUSINESS

2021 BUDGET

The 2021 Lindsborg City Budget has a 1.287 mill levy increase over 2020. Of the mill levy increase, 1.990 mills are for Emergency Medical Services. Public Safety is exempt from the property tax lid. Recreation increases 1.476 mills. The balance of property tax supported funds has either a flat or slightly lower mill levy. There are budgeted rate increases in the Water Fund and Refuse Collection Fund.

Blaine Heble moved to approve the 2021 City of Lindsborg budget. Seconded by Mark Friesen passed unanimously by roll call vote.

LIBRARY MURAL

On June 29, 2020, Suzanna Swenson of the Lindsborg Community Library approached city staff for permission to paint a mural on the east exterior wall of the library. She said that the Library Board had approved a mural by Meghan Klaassen with funding already secured by designated donation funds on hand. The proposed design is attached. As required for all exterior building modifications in the C-2 Downtown Commercial District, the Design Review Board considered the application and gave the Library Board its approval on July 2, 2020. Additionally, material modifications to City-owned property require advance permission from City Council.

Emile Gallant moved to grant the Library Board permission to have a mural matching the approved design painted on the east exterior wall of the Lindsborg Community Library. Seconded by Kirsten Bruce and passed unanimously by roll call vote.

LIBRARY PARKING LOT

The Lindsborg Community Library was recently awarded a \$10,000 grant to be used for the 60-year celebration of the facility. The application asked for funds to renovate the parking on the east alley entrance, improve lighting, and beautify the back wall with a mural project. Suzanna Swenson of the Library has presented 3 bids for concrete work to replace parking on the east side of the building, attached herein.

In her request, Suzanna said, "the Library board would like to pave the parking space because the current surface is rough asphalt with rock embedded. This makes it impossible to shovel and the Library has received complaints about this in the past. Most recently, we have an employee concerned about the difficulty it presents when on her knee walker scooter. Spring/summer 2020 has been chosen as proposed timing since the Library will be celebrating our 60th birthday and the board would like to include this improvement as one of the celebrated improvements as we look to the future of further excellent library service within our community."

Rebecca Van Der Wege moved to grant permission to the Library Board to award Power Construction \$10,843.00 to install concrete parking. Seconded Ed Radatz and passed unanimously by voice vote.

OSBORN SCULPTURE DONATION

Late last year, City staff was contacted by Merle Larson and Michael Bray for permission to relocate at least one of two metal sculptures by Don Osborn to sites along the Välkommen Trail. Don taught art at Bethany College from 1971 to 1980 and helped develop the art sculpture program there. He went on to become the head of the sculpture program at State University of New York and taught for nearly 20 years. His large steel sculptures are on permanent display on campus and have been featured in exhibitions across the country. He returned to a 40-acre homestead in the Roxbury

area in 2005. His sculptures were in two exhibits at the Birger Sandzén Memorial Gallery. Two pieces, 'Silent Record' and 'Ominous Tower,' are a part of the gallery's permanent collection.

The two sculptures were recently repaired by Dauer Welding and await placement to be provided by volunteers. The City has been asked to provide two concrete pads at the locations depicted in the attached material.

Kirsten Bruce moved to allow permanent placement of two Don Osborn sculptures along the Välkommen Trail. Seconded by Rick Martin and passed unanimously by voice vote.

BETHANY COLLEGE BANNERS

In July of 2018, City Council approved a request from Bethany College to allow the College to place banner mounts and Bethany College banners on the streetlight poles along East Swensson. These banners are from Harrison Street leading to the campus entrance at North Kansas Street. The college purchased the mounts and the banners and city crews installed them. The mounts were very well constructed, easily installed and have held up well; the banners though have not weathered as well. The banners have faded significantly, and the college would like to replace them. They have new banners on hand ready for installation. They were told that because the banners are on City poles, that City crews would be the ones replacing the banners if approved by City Council.

The new banners are similar to the banners found throughout campus and should not suffer the same issues with fading.

Rebecca Van Der Wege moved to approve the changeout of the Bethany College banners along East Swensson Street from Harrison to North Kansas Street. Seconded by Ed Radatz and passed unanimously by voice vote.

COMMUNITY BOOK

There has been a desire to further the conversation in the community on issues related to Racial Justice.

Following the conversation on racial justice in the study session of June 15th, Assistant City Administrator Lucas Neece had conversations with Bethany College, the Lindsborg Public Library, the Mayor and Councilwoman Bruce about a Community Book. Assistant City Administrator Neece reviewed lists of books on racial justice and looked for books that were focused on helping to facilitate conversations on racial justice. The three books he reviewed in-depth to consider for recommendation as a Community Book are:

Ijeoma Oluo, "So You Want to Talk About Race"

Robin Diangelo, "White Fragility"

Ibram X. Kendi, "How to Be An Antiracist"

While I believe that all three of these books have much to offer, the recommendation is Ijeoma Oluo's "So You Want to Talk About Race." I make this recommendation for several reasons:

- 1) There are book clubs at Bethany and Messiah churches already reading it.
- 2) It is easy to read and something of a page-turner.
- 3) It is relatively short.
- 4) The author avoids partisan politics, which could distract from having conversations about racial justice.

The book is not without elements that may be difficult for some community members. The author uses occasional profanity, for example. Her framing of the issues at hand will be difficult for some readers. I hope that they will be able to ask the question I found myself asking: "What if she's right?"

The proposal is to purchase 100 books. The publisher, Hachette Book Group, will provide a 55% discount on such a bulk purchase. 50 copies would go into circulation at the library; each councilperson would receive a copy; and all city staff would receive a copy.

Kirsten Bruce moved to approve the purchase of 100 copies of “So You Want to Talk About Race” for the price of \$765. Seconded by Rick Martin and passed unanimously by roll call vote.

RIGHT-OF-WAY – QUIT CLAIM DEED

A lawsuit was filed by James Baker against the City of Lindsborg. Mr. Baker purchased the property located at 505 South Main Street. More specifically, lots 34, 36, 38, 40, 42, 44 and 46 of the Riverside addition to Lindsborg. Referring to the Exhibit, the blue line represents the south boundary of the old railroad right-of-way (ROW) that the City of Lindsborg railbanked under the National Interim Trails Use Act and upon which constructed the Välkommen Trail. Since portions of the aforementioned lots lay in ROW, Mr. Baker does not legally have beneficial use of the ROW on Lots 34, 36, 38, 40, 42, 44 and 46. The lawsuit seeks quiet title to the ROW on Lots 34, 36, 38, 40, 42, 44 and 46. The City Attorney has negotiated a settlement with the plaintiff and plaintiff’s attorney. The settlement agreement would have the City of Lindsborg grant all of the real estate of Lots 34, 36, 38, 40, 42, 44 and 46, Main Street, Riverside Addition, but the City of Lindsborg would retain easement right to use and maintain any existing utility lines and public streets and sidewalks in their current locations.

Emile Gallant moved to approve the settlement of providing a quit claim deed to James H. Baker to all of the real estate of Lots 34, 36, 38, 40, 42, 44 and 46, Main Street, Riverside Addition, with the City of Lindsborg retaining easement right to use and maintain any existing utility lines and public streets and sidewalks in their current locations. Seconded by Blaine Heble and passed unanimously by voice vote.

CARES ACT MEMORANDUM OF UNDERSTANDING WITH MCPHERSON COUNTY

Attached is a Memorandum of Understanding between the City of Lindsborg and McPherson County to govern the use of CARES Act funds and to maintain accountability for the monies.

The CARES Act funds are a large funding source from the federal government that was disbursed to the states. In Kansas, the funds have been broken into 3 pieces; the first piece was disbursed to Counties for further disbursement. Over 5 million dollars was sent to McPherson County with cities and school districts as the priority recipients.

The City of Lindsborg will be requesting money both for reimbursements for COVID related expenses up until now, as well as “direct aid.” Direct Aid is funding to cover projected or planned COVID related expenses through the end of the year.

Blaine Heble moved to approve the Memorandum of Understanding with McPherson County regarding CARES Act funding. Seconded by Mark Friesen and passed unanimously by voice vote.

SWENSSON PARK MURAL

On Tuesday, July 28, 2020, the Lindsborg Mural Committee submitted a mural design from artist Cal McNichols to be installed on the south wall of the Swensson Park Restroom. Funds to complete the project will come from a successful David Nutt fund grant and will be at no cost to the City. Additionally, there is no request for any participation from City staff to prepare the site or assist in installing the mural. If approved, the committee expects work to begin by August 7, 2020, with a completion date no later than November 2020.

A proposed design, and examples of other works by the artist, and a short biography of the artist were presented.

Blaine Heble moved to grant the Lindsborg Mural Committee permission to paint a mural matching the approved design on the south wall of the Swensson Park Restroom. Seconded by Rebecca Van Der Wege and passed unanimously by voice vote.

Amendment to the agenda:

Ordinance No. 5240

Mark Friesen moved to amend Ordinance 5240 to:

Be it ordained by the governing body of the City of Lindsborg that Section 2, paragraph 2a, be amended to:

Employees are working in any space visited by customers or members of the public or anytime more than one person is present.

Seconded by Emile Gallant and passed 6-2. Councilpersons Mark Friesen, Ed Radatz, Rick Martin, Blaine Heble, Emile Gallant and Jodi Duncan voting yes and Councilpersons Kirsten Bruce and Rebecca Van Der Wege voting no.

EXECUTIVE SESSION:

ADJOURNMENT: Moved by Emile Gallant, seconded by Rick Martin and passed unanimously. Adjourned at 8:08 p.m.

Respectfully Submitted,
Roxie Sjogren
City Clerk