

LINDSBORG CITY COUNCIL

August 17 – 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, Roxie Sjogren, Holly Lofton, Beth Mauch, Scott and Susan Achenbach, Joseph House

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

**PUBLIC INPUT:** Dr. Beth Mauch spoke on behalf of Bethany College thanking the Council for passing the mask mandate and asked for it to continue. She said that it has helped them to impress the importance on the students when they are finding others around town wearing them.

**AMENDMENTS TO THE AGENDA:** None

**MAYOR'S REPORT:**

Congratulations to Dr. Beth Mauch, Bethany College's 15<sup>th</sup> president and first female president. She is looking forward to working with Bethany College and welcomed the Bethany College faculty, staff, and students back to campus. Saturday was the groundbreaking for the Stockholm Estates. The developers commented that it was a real pleasure to do business with the City staff. Lindsborg has been working for five years to attract a developer. The Bethany Home Assisted Living expansion is moving along. Sprout House announced they were moving forward with their new childcare facility. The Lindsborg Community Hospital and the City have made the Sundstrom Conference Center available to local organizations for meetings so social distancing meeting options can be available.

**CONSENT AGENDA:** Rick Martin moved to approve the minutes of the August 17, 2020 regular council meeting, Payroll Ordinance 5245, and Purchase Order Ordinance 5246. Motion seconded by Kirsten Bruce and passed, unanimously by roll call vote.

**APPOINTMENTS:**

Rebecca Van Der Wege moved to approve James Perrin and Brandon Stafford to the Lindsborg EMS. Seconded by Ed Radatz and passed unanimously by voice vote.

**PLANNING & ZONING:**

Ordinance No. 5247 – Farmers Markets

Section 50-877 (9) c. of the Lindsborg Municipal Code restricts the location of seasonal farm markets to commercial or industrial zones within the city limits. Available sites in these districts are typically parking lots, with a shortage of shade or ambience. This year's market has been allowed to set up in Swensson Park. The site is easy to find, environmentally pleasant, and very popular. The location is in an R-2 Residential District and is therefore prohibited. The proposed Ordinance adds City Parks, with annual permission of City Council, to the permitted farm market use.

Emile Gallant moved to adopt Ordinance 5247 amending the Code relating to Seasonal Farm Markets. Seconded by Kirsten Bruce and approved unanimously by roll call vote.

**OLD BUSINESS:** None

## **NEW BUSINESS**

### **Resolution No. 06-20 – Achenbach Commendation**

Resolution No. 06-20 was read commending Scott and Susan Achenbach and declared Saturday, August 22, 2020 Scott and Susan Achenbach day.

Rebecca Van Der Wege moved to adopt Resolution No. 06-20. Seconded by Kirsten Bruce and passed unanimously by voice vote.

### **Outdoor Fitness Land Designation Request**

A request was received from Lindsborg Community Healthcare Foundation to place senior outdoor fitness equipment on City property located at Second and Union Streets. This is referred to as the Union Street storage yard and it abuts the east side of the Välkommen Trail. The City of Lindsborg and the Lindsborg Community Healthcare Foundation have been partnering on grant opportunities for the development of an outdoor senior fitness area. This partnership began in earnest in 2015. The senior fitness equipment playground has been in the Parks Department Capital Improvement Plan since that time. The Lindsborg Community Healthcare Foundation was awarded a grant through the David J. Nutt Fund. The grant award is not enough to fully fund the fitness facility. Additional fundraising will need to be done.

Long time Lindsborg physician Dr. Duane Fredrickson passed away recently. Dr. Fredrickson not only served the community through his practice of medicine; he also quietly served the community in many ways. He served on the city's Sister City Committee and Tree Board; board member of Smoky Valley Historical Association, The Associated Churches of Lindsborg (T.A.C.O.L.), Sandzen Gallery Membership Committee, Bethany College, Bethany Lutheran Church, American Scandinavian Association, and Scenic Byway Trail Committee. He sang in the Messiah Chorus and Mennonite Men's Chorus. Twice a week, Dr. Fredrickson would pick up trash at Coronado Heights. Dr. Fredrickson did not just practice fitness, it was his lifestyle... he walked or rode his bicycle in all weather. When his younger neighbors were using snow blowers to clear snow, he was using a shovel. This is the basis for naming the area the "Fredrickson Outdoor Fitness Park."

Kirsten Bruce moved to approve the placement of outdoor senior fitness equipment on the "Union Street Storage Yard" and name the area the Fredrickson Outdoor Fitness Park. Seconded by Emile Gallant and passed unanimously by voice vote.

### **2021 Rural Fire Agreement**

The agreement between the City of Lindsborg and the Rural Fire District No. 8 is reviewed and updated annually. This agreement states that the City provides services and vehicle storage for the rural fire district, as well as the payment to volunteer firefighters for rural fire runs. In return, the rural fire district pays a fee to the City for these services plus a set amount for the fire runs.

Proposed in the 2021 agreement is a 3% increase in the fee for City-provided services and vehicle storage. The amount increases from \$8,400 to \$8,650 annually.

This agreement has been approved by Rural Fire District No. 8.

Blaine Heble moved to approve the 2021 agreement between the City of Lindsborg and Rural Fire District. No. 8. Seconded by Rick Martin and passed unanimously by voice vote.

### **CDBG Grant Agreement**

Attached is a contract between the City of Lindsborg and the State of Kansas Department of Commerce to govern the use of CDBG-CV funds and to maintain accountability for the monies.

The CDBG-CV funds are a funding source from the federal government that was disbursed to the states. Lindsborg was awarded \$132,000 to be granted to businesses in existence on March 1<sup>st</sup> and with at least 51% low/moderate income

employees. The requirements for the grants limit the pool of applicants, but there has been interest from several businesses.

Rick Martin moved to approve the contract with the State of Kansas Department of Commerce. Seconded by Ed Radatz and passed unanimously by voice vote.

**Ordinance No. 5248 – Standard Traffic Ordinance (STO)**

Every year there are changes in law and the City books are required to be updated. This is done through the League of Kansas Municipalities. The Standard Traffic Ordinance for Kansas Cities or STO Book addresses traffic violations.

Mark Friesen moved to approve Ordinance 5248 to adopt the Standard Traffic Ordinance Book for 2020. Seconded by Ed Radatz and passed unanimously by voice vote.

**Ordinance No. 5249 – Uniform Public Offense Code (UPOC)**

Every year there are changes in law and the City books are required to be updated. This is done through the League of Kansas Municipalities. The Uniform Public Offense Code for Kansas Cities or the UPOC Book addresses misdemeanor violations.

Mark Friesen moved to approve Ordinance 5249 to adopt the Uniform Public Offense Code Book for 2020. Seconded by Rick Martin and passed unanimously by voice vote.

**Ordinance No. 5250 – Mandatory Mask Ordinance**

A proposed ordinance mandating the wearing of a mask or other face covering is on the agenda for consideration. This ordinance would require a person to cover their mouth and nose with a mask or face covering under different situations as specified in Section 2 of the ordinance along with the exemptions to wearing a mask or face covering. Section 3 of the ordinance provides for the enforcement, violations, and penalty. Non-compliance will be treated as an infraction. The ordinance would be effective through October 6, 2020.

The current mandatory mask ordinance, Ordinance 5240, and the amendment Ordinance 5244 expire on September 9, 2020. This ordinance would essentially extend the current mandatory mask ordinance.

Kirsten Bruce moved to approve Ordinance No. 5250 requiring the wearing of masks or other face covering. Seconded by Rick Martin and passed with 7 yeas and 1 nay, with Councilpersons Mark Friesen, Kirsten Bruce, Rick Martin, Blaine Heble, Rebecca Van Der Wege voting yea and Councilperson Gallant voting nay.

**Charter Ordinance No. 23 – Official Ordinance Publication**

Charter Ordinance 23 would allow the City of Lindsborg to make the City’s website the place of official publication of legal notices and ordinances. Currently under state statute, a city must name an official newspaper for legal publication. A city may charter out of state statute if the statute does not apply equally to cities of the first, second and third class.

The impetus for this charter ordinance is timeliness of publication. With the mandatory mask ordinance, under current arrangements, it takes 10 days for an ordinance to be officially published. An ordinance cannot go into effect until it is published. This charter ordinance could be posted on the City’s website the next day and go into effect. This is important in disaster situations. A disaster requires immediacy in response action; this would allow for that immediacy.

A charter ordinance, when adopted, must be published 1 time for 2 consecutive weeks in the official city newspaper. After 61 days from the second publication, the charter ordinance becomes effective. There is an exception; during the 60 days after the second publication, a sufficient petition may be submitted requesting that the question be placed on a referendum.

Rick Martin moved to approve Charter Ordinance 23 allowing the City of Lindsborg website to be the official city newspaper. Seconded by Emile Gallant and passed unanimously by roll call vote.

**Amendments to the agenda:** None

**EXECUTIVE SESSION:** None

**ADJOURNMENT:** Moved by Kirsten Bruce and passed unanimously. Adjourned at 7:06 p.m.

Respectfully Submitted,  
Roxie Sjogren  
City Clerk