

Regular Council Meeting
April 10, 2023

1. **Council President Amanda Milne called the meeting to order at 7:00pm.** Present were Council members Amanda Milne, Kale Dankenbring, Dara Carmichael, David Butler, and Larry Finley. Also present were City Superintendent Dan Blair, City Clerk Leann Lee, and City Attorney Lauren Reyelts. Mayor Scott Schultz was absent.
2. **Minutes** from the March 27th Council meeting were distributed and read. Amanda had noted that there were a few corrections that had been corrected prior to the meeting. It was moved by Kale and seconded by Dara to approve the minutes with the corrections. Motion passed.
3. A motion was made by David and seconded by Larry to approve the following **consent agenda**:
Permission for Clerk to pay insurance at time of billing; Permission for Clerk to pay utilities at time of billing; Permission for Clerk to pay utility incentives before the 25th of the month; Permission for Clerk to pay theater bills when due; Permission for Clerk to pay Payment Service Network bills when due; Permission for Clerk to pay City Attorney bills when due. Motion passed.
4. **Attorney Report –**
 - a. Lauren requested an executive session for 10 minutes for communication subject to attorney-client privilege subject to pending perspective litigation.
 - A motion was made by Larry and seconded by Kale to enter executive session for 10 minutes at 7:03pm and to resume the open meeting at 7:13pm for attorney-client privilege of confidential information subject to perspective litigation with the Council, City Attorney, City Superintendent and City Clerk. Motion passed.
 - Council resumed the open meeting at 7:13pm and no decisions were made.
 - A motion was made by Kale and seconded by David to re-enter executive session for an additional 10 minutes and to resume the open meeting at 7:23pm with the same individuals. Motion passed.
 - Council resumed the open meeting at 7:23pm with no decisions made.
 - A motion was made by David and seconded by Kale to re-enter executive session for an additional 3 minutes to resume the open meeting at 7:27pm with the same individuals. Motion passed.
 - Council resumed the open meeting at 7:27pm with no decisions made.
 - b. Ward Electric has sent an email requesting a new contract for the infrastructure work so that they may get their bid bond in place before they commence work on April 24th. Isabella Juanicorena with Ward Electric had provided the previous contract as a sample. Lauren has requested that Ward Electric send an updated contract for review and approval within the week.
 - c. Lauren has spoken to Amanda regarding the property cleanup procedure for 703 S. Frances. Lauren has stated that she will be issuing the property clean up notice on Wednesday, so the individual will have 10 business days to request a hearing and be able to be put on the May court agenda if necessary.
 - d. Lauren has reviewed the Owner Contract and Agreement with McCormick Excavation for the street project. She had reached out to Leann to obtain answers from McCormick on the contract that were answered sufficiently, and she sees no other issues with it.
 - e. Lauren informed the Council that City Hall has received the quit claim deed signed from Billy Joe Morris. The Council has confirmed that the City will pay the \$21 filing fee. A motion was made by Kale and seconded by David to pay the \$21 filing fee out of cycle. Motion passed.
 - f. Amanda requested clarification from Lauren regarding the procedures for the dog at large ordinance. After a brief discussion it was concluded that City Hall may inform the individuals to tag their dogs if they are not tagged. City Hall will also be responsible for issuing the first offense warning letter to the dog's owner when they are paying any impound fees incurred.

A motion was made by Kale and seconded by Larry to accept and file the City Attorney's report. Motion passed.

City Attorney Lauren Reyelts and Council member David Butler left the meeting.

5. Sheriff Report – None

6. New Business:

- a. **Ricky Martinez** declared his intention to purchase 323 W. Washington to the Council. Ricky would like to use the property to operate a car washing business on a small scale. He would also like to beautify the corner area of the property with some form of garden. He has asked the Council for any assistance they may provide for utilities, property taxes, and the beautification of the corner area. The Council has informed Mr. Martinez that he may fill out a new business incentive application that could possibly help. Other organization names were also given to Ricky that may assist in different aspects. Ricky was informed to go to the County Appraiser's office for more information on the property.
- b. The Council was presented with a **chicken permit** renewal for Reid Kriegh. A motion was made by Kale and seconded by Larry to approve the renewal of the chicken permit. Motion passed.
- c. The Council was presented with a **small business incentive application** from Lacey Grogan for the Night and Gale Spa. The applicant has requested the utility incentive of \$100 for 12 months based on the number of employees and hours of operations. A motion was made by Dara and seconded by Kale to approve the small business incentive application at \$100 for 12 months. Motion passed.

7. Old Business:

- a. **Property Cleanup** – This matter was discussed during the City Attorney's report.
- b. **Projects Pending -**
 - St. Francis Redi Mix has completed the concrete work at the swimming pool area. The work was estimated to be \$7,000 at the time; however, the final cost came to \$8,260. A motion was made by Larry and seconded by Kale to approve the additional amount of \$1,260. Motion passed.
A motion was made by Larry and seconded by Kale to pay the invoice out of cycle. Motion passed.
- c. **Streets Project –**
 - The Owner Contract and Agreement with McCormick Excavation was presented to the Council for review and approval. Lauren has reviewed the contract and discussed it with the Council during her report. Leann confirmed with Justine Benoit of Northwest Kansas Planning & Development Commission, and Tyler Hillmer with Miller & Associates, that the Council may motion to approve the contract for signature upon the Mayor's return. A motion was made by Kale and seconded by Dara to approve the contract for signature. Motion passed.
 - Change Order #1 for the reduction in the scope of work was presented to the Council for review and approval to be signed upon the Mayor's return. A motion was made by Kale and seconded by Larry to approve the change order's reduced scope of work to be signed upon the Mayor's return. Motion passed.
 - Leann was given forms from Justine regarding the drawdowns and payment applications for the project. The forms are to delegate authorized signers at the City and the bank. The Council has chosen to authorize Council members Amanda Milne and Dara Carmichael, City Treasurer Jen Blair, and City Clerk Leann Lee, with final signature from the Mayor.

8. Pool Report –

- The pool board has received more applications since the previous meeting. Approximately 90% of the applicants are new hires for the lifeguard positions. They have received applications for the pool manager, concessions clerk, and possibly an assistant manager. They will be meeting Wednesday, April 12th to review the applications. Larry will be able to give more information at the next Council meeting.
- Larry has requested approval from the Council to purchase the swim lessons from Red Cross. In prior years, the City has purchased the package allotting up to 75 children, which costs \$200

this year. The pool would like to make the lessons available to more children and purchase the package allotting up to 500 children for \$300. A motion was made by Kale and seconded by Dara to approve purchasing the \$300 swim lesson package from the Red Cross. Motion approved.

A motion was made by Dara and seconded by Kale to accept and file the pool report. Motion passed

9. Visitors – None

10. Superintendent Report

- Justin Gardner has passed his testing that was completed at the KRWA conference and is now certified in water and wastewater.
- Dan has requested permission from the Council to order 12 tons of cold patch for \$1,980 for the City streets. A motion was made by Kale and seconded by Larry to approve the purchase of cold patch for \$1,980. Motion passed.
- Dan has informed the Council that we would need to get estimates for the scope of work regarding the theater renovation. The architect that created the plans does not know any construction companies that would be willing to travel here for the size of the project. The Council discussed contacting multiple local contractors to get estimates for the different aspects of the project. Additional discussion was had regarding the scope of the project and the funding. No decisions were made.
- Dan has not had any success in receiving responses from companies regarding recycling of the cardboard. He will still be reaching out to Atwood, Wray, and Colby for information on their recycling. Additional discussion was had pertaining to the County dump and the possibility of burning the cardboard. No decisions were made.
- The targeted start date for Ward Electric is April 24th depending on the execution of the new contract.
- The City needs to order a dozen water meter ERTs as the lead time is 16-20 weeks and the approximate cost is \$1,626. A motion was made by Kale and seconded by Larry to order the water meter ERTs. Motion passed.
- Dan followed up with Heartland regarding the dividers for the restrooms at the Roadside Park. They will be replacing some hardware that has been misplaced and will schedule the work to be completed after receiving the new hardware.
- Diamond Stucco Remodels has reached out to schedule the work if their quote was accepted. Amanda was unable to get into contact with Greg Kite regarding the Historical Society's requirements. The Council will call a special meeting at a separate time to approve the quote if necessary.
- Dan presented hourly rates for installation of City water taps to be \$30 per man per hour and \$50 per equipment per hour. The labor rate for City personnel would be \$50 per man per hour if work is necessary due to emergency type situations. Dan informed the Council that Goodland's hourly rate is \$45 per man per hour. Council has agreed to utilize these hourly rates without a motion.
- Dan has brought it to the Council's attention that is it the City's normal time for annual raises; however, he is hoping to have the necessary information ready for the Council by the next meeting.
- Dan informed the Council that he will be trying to utilize some of his accumulated vacation hours.
- Larry inquired about Travis Jensen's request for upgraded power. Dan informed the Council that Travis has been given the amount of the transformer and labor but has not paid the City to complete the work. The City has obtained permission previously from Vicki Killingsworth to perform the upgrade.
- Dan will reach out to Goodland to see if they have a transformer capable to cover the hospital if something were to happen.
- Dan will be contacting Tyler Hillmer with Miller & Associates regarding the concrete that ended up in the City sewer line. St. Francis Redi Mix has been made aware of the issue. The worst-case scenario is that the effected pipe be broken out and the street be opened to remove and replace.

Johnson Service has stated that they have a camera with a grinder bit attached that may be used to try to break up the concrete, and that they will charge the responsible party.

- The City's newly purchased refuse truck is ready and is waiting on transportation to be scheduled by Dave Yost.
 - The automatic robot vacuum for the pool has a defective cord. The City had originally tried replacing the power supply to the vacuum, with no luck, and will be sending the power supply back to the company. The cord that was installed by the vacuum representatives has splices in the cord that have gone bad. The company will be sending the City a repair splice kit free of charge that the City will install themselves. The representative also informed Dan that the City should look into replacing the unit by next year due to the noticeable cracking caused by the chlorine.
 - Dan has reviewed the City insurances with Kelly Frewen and the City Clerk. The insurance costs have increased by about \$20,000. While reviewing the policies, a vehicle that the City does not own was listed and requested to be removed. The City's side-by-side vehicles will be added to the policy as well. Leann informed the Council that during the review it was mentioned that the City's building structures would be reassessed for current property value during this policy year. The Council was also informed that the City is part of a pooled insurance policy that has an incentive of lower premiums and possible refunds if few claims are made by the entities that are covered.
 - Atlas Automation is currently working on getting our new water control system parts. Dan informed the Council that the City's current water system transducers were sending error alarms recently. Atlas has suggested to install a sonar device temporarily that will work with our current system to give water depth readings until the new system is ready to install.
- A motion was made by Kale and seconded by Dara to accept and file the superintendent report. Motion passed.

11. Clerk Report –

- Leann presented the Council with the annual renewal agreement for City's CIC software for \$5,665. A motion was made by Kale and seconded by Dara to approve CIC's annual renewal for \$5,665. Motion passed.
 - Leann has informed the Council that she has located the spreadsheet to invoice the County for the past recycled materials, and with the assistance of the City Treasurer, Jen Blair, the invoice will be submitted to the County Clerk this week.
 - Leann has shared with the Council upcoming dates for training conferences and meetings presented by CCMFOA and The League of Municipalities. Leann requested permission from the Council to attend the budget workshop on May 11th in Colby. The Council approved Leann attending without a motion.
- A motion was made by Larry and seconded by Kale to accept and file the clerks report. Motion passed.

12. Council Comments: Kale – None; Dara – None; Larry – None; Amanda – The Bandshell rental application for the Alumni Association was reviewed and approved at the last meeting; however, a motion was not made to waive the rental fees as previously done. A motion was made by Kale and seconded by Dara to waive the rental fees for the Alumni Association. Motion passed.

13. All bills on Ordinance #1073 were reviewed. A motion was made by Kale and seconded by Larry to approve paying of the bills on Ordinance #1073. Motion passed.

14. Adjournment: It was moved by Kale and seconded by Dara to adjourn the meeting. Motion passed.

City Clerk