

WASHINGTON CITY COUNCIL MINUTES
Regular Meeting
February 3, 2020

1. Call to order by Mayor.

2. Roll Call.

Present: Ryan Kern, Mayor
Melanie Bryant
Kevin Elder
Theresa Herrs
Don Imhoff
Roxanne Schottel

Absent:

Staff Present: Carl Chalfant, City Administrator
Denise Powell, City Clerk
Elizabeth Hiltgen, City Attorney

Others: Chris Pannbacker, Washington County News
Brian Foster, BG Consultants, Inc.

3. Citizens Comments.

None.

4. Elect President of Council.

Motion to elect Roxanne Schottel as president of the Council by Bryant and seconded by Imhoff.

Vote: Ayes: Melanie Bryant
Kevin Elder
Theresa Herrs
Don Imhoff
Roxanne Schottel

5. Executive Session.

Motion to enter into executive session to discuss potential litigation under attorney-client exception to include the Mayor, Council, City Administrator and City Attorney to resume in the Council chamber at 6:45 p.m. by Schottel and seconded by Herrs.

Vote: Ayes: Melanie Bryant
Kevin Elder
Don Imhoff
Theresa Herrs
Roxanne Schottel

No action taken.

6. Minutes.

Motion to approve the minutes of the regular meeting held January 6, 2020 by Schottel seconded by Bryant.

Vote: Ayes: Melanie Bryant
Kevin Elder
Theresa Herrs
Don Imhoff
Roxanne Schottel

7. Appropriations Ordinance 2020-02.

Motion to approve appropriations ordinance 2020-02 by Bryant and seconded by Schottel.

Vote: Ayes: Melanie Bryant
Kevin Elder
Theresa Herrs
Don Imhoff
Roxanne Schottel

8. SCADA Water Project Bids.

Motion to award the bid for the water system SCADA system to Sargent Drilling in an amount not to exceed \$93,780.84 contingent upon CDBG and USDA concurrence and authorize the Mayor and City Attorney to process all contract documents by Schottel and seconded by Herrs.

Vote: Ayes: Melanie Bryant
Kevin Elder
Theresa Herrs
Don Imhoff
Roxanne Schottel

Brian Foster's recommendation is to award the bid to Sargent Drilling.

9. USD 108 Crosswalk Request.

Consensus of the Council was for City Administrator Carl Chalfant to follow-up with USD 108 School Superintendent Denise O'Dea about the cost and recommendations provided to the Council by Brian Foster, BG Consultants, Inc. Per Council's direction, staff sought a cost estimate from BG Consultants to perform an engineer's study following a January request made by USD 108 for consideration of a mid-block school pedestrian crosswalk from in front of the high school to the sports complex. Brian Foster, professional engineer, BG Consultants, estimated the total fees to be between \$2,000 and \$6,000. "The study would be done by an hourly contract as sometimes things like this are open ended and staff would have to attend several meetings," according to Foster. "The cost doesn't include a survey or traffic counts, but certainly could if the city and school district would like that," he said. Mayor Ryan Kern asked Foster if he sees many midblock crosswalks and Foster said no. "There are lots of areas of concern with parking at USD 108," he concluded. To name a few, for the requested crosswalk to be installed it would require elimination of parking stalls as traffic cannot back into a crosswalk; elimination of the crosswalk into the parking lot of the ag building; installation of a new sidewalk on the east side of D Street for pedestrian traffic to go north to a designated crosswalk, and changes in speed limits, among others.

10. Brad Portenier Request.

Staff received a Homestead Act Commercial/Industrial Application from Brad Portenier Thursday, January 30, 2020, for a Brewery Expansion. The proposal is to construct a 100'x250'x30' high building to produce enough product to distribute to several states. The business would create two jobs in the first year and five jobs in five years. Portenier's request is for lots 12, 13 & 14 in the City's industrial park.

Council discussed utility extension and the need for a 70' road to allow James Cole access to his farm ground in the industrial park. Brian Foster, BG Engineering, Inc., stated the sanitary sewer is proposed to go between lots 17 and 18 to Progress Street then to the north edge of lot 12. The water line will run from the intersection of Wilson Drive north on Progress Street to between lots 12 and 13. The road will go at the north end of lot 14. Council asked Chalfant to visit with Portenier about turning his building to fit on lot 12.

11. Audit.

Motion to approve the contract with Summers, Spencer & Company, P.A. to perform the 2019 audit contract at the standard hourly rate plus out-of-pocket costs (such as report reproduction, word processing, travel, postage, copies, telephone, etc.) except that the agreeance is that the gross fee, not including expenses will not exceed \$10,200 by Herra and seconded by Schottel.

Vote: Ayes: Melanie Bryant
Kevin Elder
Theresa Herra
Don Imhoff
Roxanne Schottel

Summers, Spencer & Company, P.A. gave a cost not to exceed \$950 for preparing the 2021 budget. City Clerk Denise Powell and Council discussed placing a deadline on preparation of the final draft. City Clerk Denise Powell will contact Summers, Spencer & Company, P.A. about adding a deadline and penalty to the contract.

12. Refuse License.

Motion to approve 2020 refuse hauler license for Durlinger Disposal Service retroactive to January 6, 2020, by Schottel and seconded by Elder.

Vote: Ayes: Melanie Bryant
Kevin Elder
Theresa Herra
Don Imhoff
Roxanne Schottel

13. Mayor/Council Wages.

Council directed City Attorney Elizabeth Hiltgen to draft an ordinance to pay council members \$30 and the Mayor \$45 per meeting attended.

14. City Hall Wiring.

Motion to approve bid from Pure Energy in the amount of \$2,100.00 for electrical outlets at City Hall by Herra and seconded by Elder.

Vote: Ayes: Melanie Bryant
Kevin Elder
Theresa Herra
Don Imhoff
Roxanne Schottel

15. Bulk Water Dispenser.

Motion to purchase an automatic water salesman at a cost not to exceed \$5,805 from Vernon Manufacturing by Bryant and seconded by Imhoff.

Vote: Ayes: Melanie Bryant
Kevin Elder
Theresa Herra
Don Imhoff
Roxanne Schottel

16. CIC Peopleware Agreement.

Motion to authorize the Mayor to sign the Annual Peopleware Agreement with Computer Information Concepts, Inc. for 2020 for an amount not to exceed \$4,275 by Schottel and seconded by Bryant.

Vote: Ayes: Melanie Bryant
Kevin Elder
Theresa Herrs
Don Imhoff
Roxanne Schottel

17. KMEA Appointment.

Motion to appoint Don Imhoff to the Director #2 position for Kansas Municipal Energy Agency effective May 1, 2020 through April 30, 2022, by Schottel and seconded by Elder.

Vote: Ayes: Melanie Bryant
Kevin Elder
Theresa Herrs
Don Imhoff
Roxanne Schottel

18. USD 108 Afterprom Request.

Motion to donate \$100 to the USD 108 After Prom to be paid out of the Special Alcohol fund/Electric fund by Schottel and seconded by Imhoff.

Vote: Ayes: Melanie Bryant
Kevin Elder
Theresa Herrs
Don Imhoff
Roxanne Schottel

19. City Attorney Report.

a) Well Property.

Motion to enter into executive session for preliminary discussion of the acquisition of real property to discuss the potential purchase of real estate to include the Mayor, Council, City Administrator, and City Attorney to resume in the Council chamber at 7:55 p.m. by Schottel and seconded by Imhoff.

Vote: Ayes: Melanie Bryant
Kevin Elder
Don Imhoff
Theresa Herrs
Roxanne Schottel

b) Utility Account Error.

Motion to refund USD 108 the lump sum total minus previously credited utility bills for a utility billing error by Elder and seconded by Herrs.

Vote: Ayes: Melanie Bryant
Kevin Elder
Don Imhoff
Theresa Herrs
Roxanne Schottel

Upon recommendation of City Attorney Elizabeth Hiltgen the Council made a motion to pay the lump sum total minus previously credited bills for a utility billing error. The Council asked Hiltgen to update the City's policy to reference equipment or human errors for water and electric.

c) Nuisance Abatement Program. City Attorney Elizabeth Hiltgen was to contact City of Belleville regarding their Nuisance Abatement program.

- d) **Memorandum of Understanding for City and Library.** City attorney is still waiting for additional information from Carol Barta, North Central Kansas Library, to draft a memorandum of understanding between the Library and City.
- e) **Ball Association.** Hiltgen stated she hoped to have the Washington Ball Association bylaws ready prior to the season starting this year.

20. City Administrator Report.

- a) **Curb & Gutter & Sidewalk Programs.** Consensus of the Council was to postpone the Curb & Gutter and Sidewalk Programs for 2020 due to the extensive scope of the water project and the final phase of B Street project. Staff will revisit the projects in 2021 in conjunction with the progress of the water project.
- b) **Computers.** Staff ordered one laptop for the power plant and has revised the bid packet and sent it back out for bids. Bids will be presented at the March council meeting.
- c) **Roof Update.** The City has had no response from Vernon McGee, owner of McGee Roofing, asking for reconsideration of the dollar amount proposed regarding damage to the City Hall roof.
- d) **Storm Sirens.** Staff has not heard any updates from Ka-Comm in reference to issues with the storm sirens.
- e) **KMEA/Mid States Energy Works.** A letter from KMEA is enclosed, discussing their potential acquisition of Mid-States Energy Works. Mid-States services will still be available just through KMEA.
- f) **Capital Improvement Plan.** Staff has been working on creating a simplified and updated capital improvement plan to go along with future budget worksheets.
- g) **Mill Creek Bank Stabilization.** Plans have been submitted to Army Corp of Engineers and State Officials for approval, along with City's participation Action Plan and estimates.
- h) **Vehicle Nuisances.** Staff has not had time to follow up on active verifiable vehicle nuisances.
- i) **B Street Project.** Plans have been completed and are out for bid. Bids will be opened at 2 p.m. February 27, 2020, at City Hall.
- j) **Voltage Conversion Mutual Aid.** Electric staff has been working on voltage conversion items that need addressed prior to actual converting as addressed with their meeting with staff from Clay Center and Mid States. When staff completes these identified issues, they will contact Clay Center staff to schedule a date to start actual converting.
- k) **KDOT.** Kansas Department of Transportation plans to resurface and replace curb and gutter from east to west city limits. Chalfant plans to talk to Dale Hershberger, area engineer to discuss the project. Work probably wouldn't happen for three years.

21. City Clerk Report.

- a) **EMS Annual Report.** A copy of the EMS annual report as submitted to the County Clerk is enclosed for review.

- b) **Open Burn Site.** Staff received a letter from KDHE stating the city’s open burn site was inspected on January 9, 2020 and at the time of inspection the site was found to be in compliance.
- c) **Golf Course Ad Valorem Tax Exemption.** Ryan Hockett, Cedar Hills Golf Course, brought staff a letter, an Order from the Board of Tax Appeals State of Kansas, denying the tax exemption request.
- d) **Reports.** The December 2019 financials for the Washington County Senior Citizens Meal Sites and the January fire minutes were given to the Council for review.

22. Reports.

Melanie Bryant.

- a) **Kansas Gas Service.** Bryant expressed her concern with Kansas Gas Service driving equipment over sidewalk at the Grace Baptist Church.

23. Cost Share Program B Street. Motion to authorize the Mayor to execute any all documents associated with the KDOT Cost Share Program for the B Street Project upon review and approval of City Attorney by Bryant and seconded by Herrs.

Vote: Ayes: Melanie Bryant
Kevin Elder
Theresa Herrs
Don Imhoff
Roxanne Schottel

Motion to adjourn by Schottel second by Bryant.

Vote: Ayes: Melanie Bryant
Kevin Elder
Theresa Herrs
Don Imhoff
Roxanne Schottel

Meeting adjourned at 8:19 p.m.

Denise M. Powell, City Clerk