

WASHINGTON CITY COUNCIL MINUTES
Regular Meeting – City Hall
March 6, 2023

1. Call to order by Mayor Ryan Kern.

2. Roll Call.

Present: Ryan Kern, Mayor
Jerry Fuhrken, Council Member
Theresa Herrs, Council Member
Terry Morse, Council Member
Carolyn Pinnick, Council Member
Roxanne Schottel, Council Member

Absent:

Staff Present: Carl Chalfant, City Administrator
Denise Powell, City Clerk
Caroline Scoville, Fulltime EMT
Elizabeth Baskerville-Hiltgen, City Attorney

Others: Cynthia Scheer, Washington County News
Jerry Kellogg, Washington
Josh Kuhaneck, Washington

3. Citizens Comments.

Josh Kuhaneck, Washington, inquired about installation of a three-phase utility service on a property located on E 9th Street. City Administrator Carl Chalfant asked Kuhaneck to work directly with Electric Superintendent Jason Throm.

4. Minutes.

Motion to approve the minutes of the regular meeting held February 6, 2023, by Herrs and seconded by Morse.

Vote: Ayes: Jerry Fuhrken
Theresa Herrs
Terry Morse
Caroline Pinnick
Roxanne Schottel

5. Appropriations Ordinance 2023-03.

Motion to approve appropriations ordinance 2023-03 by Schottel and seconded by Pinnick.

Vote: Ayes: Jerry Fuhrken
Theresa Herrs
Terry Morse
Caroline Pinnick
Roxanne Schottel

City Attorney Elizabeth Baskerville-Hiltgen joined by phone at 6:40 p.m.

6. Jerry Kellogg

Jerry Kellogg visited with the Council about a property he recently purchased at 210 W 5th that the City has condemned and will be torn down. Kellogg asked the Council to consider giving him six months to tear down the structure which would save the City money.

City Attorney Elizabeth Hiltgen stated she had visited with the previous property owner and Kellogg concerning the property and made them aware that the sale of the property doesn't change the findings per the resolution. Hiltgen also said per statute all expenses get assessed back to the land owner and Kellogg would assume the cost incurred. Hiltgen prepared an ordinance authorizing and directing the removal of the structure for the Council to approve at tonight's meeting and said while the ordinance is not required she felt it was the best practice. The Council has agreed the code and statute have been followed and the City can have the structure removed.

The Council could choose to listen to Kellogg and work with him but a change in ownership doesn't change the findings per resolution.

Council directed staff to contact Orval Jueneman Dozer Service to see how soon the structure could be removed and asks if the Council chose not to proceed would there be a cost incurred. They also asked for a spreadsheet of costs incurred by the City for the removal of the structure to date.

Hiltgen left meeting at 6:47 p.m.

7. 210 W 5th Street Structure.

Motion to adopt Ordinance No. 820, AN ORDINANCE AUTHORIZING AND DIRECTING THE REMOVAL OF CERTAIN UNSAFE AND DANGEROUS STRUCTURES LOCATED AT LOTS FIVE (5) AND SIX (6) IN BLOCK THIRTY-TWO (32) IN THE CITY OF WASHINGTON, WASHINGTON COUNTY, KANSAS, ALSO KNOWN AND REFERRED TO AS 210 W. 5TH STREET IN THE CITY OF WASHINGTON, KANSAS; AUTHORIZING THE FINANCING OF THE COSTS OF SUCH REMOVAL BY THE SALE OF SALVAGE FROM SUCH STRUCTURE, IF ANY, AND/OR FROM THE GENERAL FUND OF THE CITY; AND, THE LEVYING OF SPECIAL ASSESSMENTS AGAINST THE LOTS OR PARCELS OF LAND ON WHICH SUCH STRUCTURES ARE LOCATED by Herrs and seconded by Morse.

8. Street Project.

Motion to authorize the Mayor to sign the KDOT Cost Share Agreement and any documents associated with the application upon review by the City Attorney by Schottel and seconded by Herrs.

Vote: Ayes: Jerry Fuhrken
Theresa Herrs
Terry Morse
Carolyn Pinnick
Roxanne Schottel

9. CMB Special Event.

Motion to approve the Cereal Malt Beverage Special Event Permit for Larry Lovgren from 3 p.m. to midnight, Friday, June 16 and Saturday, June 17, 2023, at the Washington Fairgrounds by Schottel and seconded by Fuhrken.

Vote: Ayes: Jerry Fuhrken
Theresa Herrs
Terry Morse
Carolyn Pinnick
Roxanne Schottel

10. Washington County Saddle Club Request.

Motion to approve the Loudspeaker/Sound Amplifier Permit for the Washington County Saddle Club on June 16 and 17, 2023, for a live band from 6 p.m. to Midnight by the horse stalls by Herrs and seconded by Fuhrken.

Vote: Ayes: Jerry Fuhrken
Theresa Herrs
Terry Morse
Carolyn Pinnick
Roxanne Schottel

11. USD 108 Prom Street Use Permit.

Motion to approve Street Use Permit as presented for USD 108 Promenade contingent upon receipt of current certificate of insurance by Schottel and seconded by Pinnick.

Vote: Ayes: Jerry Fuhrken
Theresa Herrs
Terry Morse
Carolyn Pinnick
Roxanne Schottel

12. KMEA Board Members.

Motion to appoint Carl Chalfant to the Director #1 position effective March 6, 2023 through April 30, 2025 for Kansas Municipal Energy Agency by Schottel and seconded by Herrs.

Vote: Ayes: Jerry Fuhrken
Theresa Herrs
Terry Morse
Carolyn Pinnick
Roxanne Schottel

13. Storm Sewer Permit.

No bids were received for installation of storm sewer at Crest & West 2nd Street and the item was tabled. The Council discussed staff installing the pipe as time allows.

14. Executive Session.

Motion to enter into executive session to discuss employee evaluation and job performance for non-elected personnel to include the Mayor, Council, and City Administrator to resume in the Council chambers at 8:10 p.m. by Schottel and seconded by Pinnick.

Vote: Ayes: Jerry Fuhrken
Theresa Herrs
Terry Morse
Carolyn Pinnick
Roxanne Schottel

15. Summer Employees.

Motion to adopt the 2023 pool employee pay scale as proposed by Schottel and seconded by Herrs.

Vote: Ayes: Jerry Fuhrken
Theresa Herrs
Terry Morse
Carolyn Pinnick
Roxanne Schottel

Motion to hire 2023 pool manager Talena McClellan at a rate of \$11.00 per hour, assistant manager Ruth Craig at a rate of \$10.00 per hour; and the following lifeguards: Joy Lucas at a rate of \$9.50 per hour and Garrison Sand, Jayden Laflen, Brianne Fincham, Natalya Almendarez, Bryce Yoder, and Joree Bentz at a rate of \$9.00 per hour by Schottel and seconded by Pinnick.

Vote: Ayes: Jerry Fuhrken
Theresa Herrs
Terry Morse
Carolyn Pinnick
Roxanne Schottel

16. Emergency Wastewater Plan & Municipal Water Conservation Plan.

Motion to adopt the updated Emergency Wastewater Plan as presented by Schottel and seconded by Herrs.

Vote: Ayes: Jerry Fuhrken
Theresa Herrs
Terry Morse
Carolyn Pinnick
Roxanne Schottel

Motion to adopt the Municipal Water Conservation Plan as presented by Schottel and seconded by Pinnick.

Vote: Ayes: Jerry Fuhrken
Theresa Herrs
Terry Morse
Carolyn Pinnick
Roxanne Schottel

17. Power Plant Lease Purchase.

Motion to approve payment of a bill in the amount of \$20,371.77 to be paid through the UB&T lease purchase by Morse and seconded by Fuhrken.

Vote: Ayes: Jerry Fuhrken
Theresa Herrs
Terry Morse
Carolyn Pinnick
Roxanne Schottel

18. Water Project Pay Request.

Motion to approve Water Project Payment Request in the amount of \$2,567.00 by Schottel and seconded by Pinnick.

Vote: Ayes: Jerry Fuhrken
Theresa Herrs
Terry Morse
Carolyn Pinnick
Roxanne Schottel

19. City Administrator Report.

- a) **Opioid Funding.** Full-time EMT Caroline Scoville will work with the County in developing a plan for the opioid funding received. The funding may only be used for specific things to help combat the opioid crisis. The City has received \$2,729.95 and there is more to come.
- b) **Power Plant Operator/Superintendent.** No applications have been received for power plant operator/superintendent. Consensus of the Council was to advertise in neighboring county newspapers.
- c) **Free Dump Days.** Washington County Free Dump Days and Citywide Cleanup will be May 4-6th.
- d) **Food Sales Tax Exemption.** City Administrator Chalfant has been in contact with Representative Lisa Moser concerning the bills currently in the legislature proposing the elimination of state and local sales tax on food. This is a major concern for the City as a large percentage of our local sales tax is derived from the sale of food. A copy of the communication was given to the Council.

- e) **Park Lift Station.** Staff is still waiting for a contractor that works on Smith and Loveless pumps to come and give an estimate for repair of second pump in the park lift station.
- f) **Waterway Drainage at Lagoons.** Staff is waiting on an estimate from Orval Jueneman's for drainage work on a waterway at the lagoons affecting an adjoining field owned by Dale Keesecker. As of March 2, 2023, staff has not received an estimate, but has received confirmation that Jueneman's will work on it when they are working on Keesecker's field.
- g) **Lead Service Line Replacement.** Staff is working on a mailing to acquire the information from property owners on lead service lines.
- h) **Employees.** Both water/wastewater/street laborers have obtained their class B commercial drivers' license.
- i) **Playground Committee Minutes.** Playground Committee minutes from the February 7, 2023 meeting with the Lions' Club and the February 20, 2023 meeting were given to the Council for review. Rachel Tegtmeier has resigned from the playground committee. Cynthia Scheer, Washington County News, will put an article in the paper seeking ideas from the community for park improvements utilizing the Larry A Davison Estate donation of \$227,558 designated specifically for park improvements.
- j) **2010 Chevrolet Pickup.** On March 1, 2023, while reading meters, the power plant operator turned too quickly and scraped the right rear quarter panel of the pickup on a utility pole. Damage was confined to the quarter panel above the right rear tire, which can be hammered out. Estimated cost to repair is less than or equal to the deductible, so a post-accident screening was not warranted; however, an accident report was completed as per policy.
- k) **KMEA.** An email from KMEA was given to the Council stating that the Kansas Attorney General has filed suit against Macquarie Energy related to the February 2021 Winter storm.
- l) **Electric Issue.** Until this morning, staff thought glitch was repaired to electric feeder line #3. However, there was another glitch and staff is continuing to isolate the problem on the line.

20. City Clerk's Report.

- a) **Transformers.** Reported upon updating the contracted non-paid electric expense spreadsheet, she noticed that it did not include a bushing repair from Sunbelt Solomon for the East substation at a cost of \$11,885, plus tax. A copy of the updated spreadsheet outlining expenses was given to the Council for review.
- b) **Insurance Bids.** Bid packets for insurance were created. Bids are due back by March 20, 2023. Staff is requesting Council have an adjourned meeting for Noon, March 23 to review and accept a bid. If the Council chooses to accept the bid of another company a Tail Coverage Policy will be advised from the current carrier at a cost of \$4,278 for 12 months or for \$9,506 for 60 months. Tail coverage follows the linebacker/E&O policy. The policy is on a claim made basis. This means any E&O claim presented to the City after April 1, 2023, would not be covered because the claim was not made within the policy period. By purchasing tail coverage, you are extending the coverage period either by 12 months or 60 months.
- c) **Printer/Copier/Fax.** Bids were put out for this and a plotter. Acceptance of a bid will be on the April agenda.
- d) **Reports.** The Washington County Senior Citizens Meal Site January 2023 financials and February Fire minutes were given to the Council for review.

21. Reports.

Terry Morse

- a) **Library.** Library has ordered to upgrade lighting to LED and get bids to upgrade interior and doors. Board member's term expires this month. Staff was directed to put out a request seeking interested parties.
- b) **Streets.** Council Member Morse stated he has received lots of complaints about the City's streets and asked that when staff patches street they do the complete block addressing all holes.
- c) **Old City Hall.** Morse asked if employees have received anything from anyone on old city hall. Chalfant stated the deadline is not until April. Staff has shown the building to several individuals but no proposals have been received.
- d) **Daily Sheets.** Morse discussed his displeasure about the daily sheets. He stated some are not legible and he felt there was no need to put the little daily activities on the sheets. He mentioned maybe the City needs to go back to work orders.
- e) **Industrial Park Streets.** Morse inquired whose responsibility it is to maintain the Industrial Park streets. Chalfant stated it was the City's.

Morse also asked for an update on the installation of sewer and water lines in the Industrial Park. City Administrator Chalfant stated staff received communication from the engineer that the project is delayed due to materials.

Roxanne Schottel

- a) **Council Terms.** Council Member Schottel stated her term is set to expire at the end of the year and she does not intend to seek reelection. Council Member Herrs and Mayor Kern also stated they do not intend to seek reelection.

Jerry Fuhrken

- a) **Streets.** Council Member Fuhrken discussed the condition of Pierce Street and the need to be graded.

Meeting adjourned to Noon, March 23, 2023, by Schottel and seconded by Herrs.

Vote: Ayes: Jerry Fuhrken
Theresa Herrs
Terry Morse
Carolyn Pinnick
Roxanne Schottel

Adjourned at 8:15 p.m.

Denise M. Powell, City Clerk