

LINDSBORG CITY COUNCIL

July 17, 2017 – 6:30 p.m.

Meeting Minutes

Members Present – Betty Nelson, Kathy Richardson, Blaine Heble, Corey Peterson, Rick Martin, David Higbee, Mark Friesen & Emile Gallant

Absent - Bill Taylor

Others Present – Greg DuMars, Jerry Lovett-Sperling, Tim Berggren, Larry Lindgren, Kate Elliott, Chris Lindholm, Bill Gusenius, Dan Carr, Brieaun Baier, Andrew Seehafer, Martha Danielson, Amy Habiger, Kelsey Swisher, John Mattox, Bill Parrish, Marla Wagner, Erica DeVore & Jennifer McCall

The meeting was called to order at 6:30 p.m. by Council President, Rick Marin and the Pledge of Allegiance was said.

Public Input – None

Amendments to the Agenda – none

Mayor's Report – Councilmember Emile Gallant was recognized for his years of service on the council. He has resigned his position because he is moving out of his ward. The Broadway RFD production of Beauty and the Beast is the next two weekends in the bandshell in Swensson Park. Don't miss it! The word is out that Bethany College is officially off probation!! Representatives from Blue Cross Blue Shield of Kansas and Kansas Recreation & Parks Association presented the City (& Kate Elliott) a Blue Chip award.

Consent Agenda – Betty Nelson moved to approve the minutes of the July 03, 2017 regular council meeting, Payroll Ordinance 5057 and Purchase Order Ordinance 5058. Motion seconded by David Higbee and passed unanimously by roll call vote.

Appointments – Mayor Taylor recommend the following appointments: Bill Parrish to the Golf Advisory Board, Kelsey Swisher to the Recreation Advisory Board and John Mattox to the Planning and Zoning Commission. It was moved, seconded and passed to approve these appointments. Mayor Taylor recommended Brieaun Baier and Andrew Seehafer to the EMS department. Emile Gallant moved to approve the appointments. Motion seconded by David Higbee and passed.

Planning & Zoning – ORDINANCE 5059 – REZONING 134 S WASHINGTON – Emile Gallant moved to adopt Ordinance 5059 which rezones 134 S Washington from single family dwelling to R-2, Two Family Dwelling. Motion seconded by Corey Peterson and passed unanimously by roll call vote.

Old Business – ORDINANCE 5055 - UNIFORM PUBLIC OFFENSE CODE – Betty Nelson moved to adopt Ordinance 5055. Motion seconded by Kathy Richardson and passed unanimously by roll call vote.

ORDINANCE 5056 – STANDARD TRAFFIC OFFENSE CODE - moved to adopt Ordinance 5056. Motion seconded by and passed unanimously by roll call vote.

New Business – DOG SWIM - A request has been received to discuss having a dog swim at the end of the season at the Lindsborg pool. These types of events have been called “Drool in the Pool”, “Pooch Plunge”, and “Doggy Dips.” The discussion will focus on whether to have a season closing dog swim at the pool. And if so, what guidelines, rules, length of time and parameters should be developed for this event. Following is general, health and safety information regarding dog swims. It was the consensus of council to have staff prepare guidelines and bring to next council meeting for approval.

AUDIT PROPOSAL - RFP’s for audit services for the years 2017, 2018 and 2019 were sent out last month to three local auditing firms. Two firms submitted proposals: Adams, Brown, Beran & Ball, Chartered from Great Bend and Lindburg Vogel Pierce Faris Chartered from Hutchinson. Adams, Brown, Beran & Ball, Chartered purchased the business of David O’Dell, CPA, LLC. who was the previous auditor for the City of Lindsborg and has performed the audit services for the past two years. They have been very competent in the performance of audit services and have initiated various changes in the way the City employees perform our duties. They also submitted the lowest fee proposal for the audits. David Higbee moved to accept the proposal of \$18,900 from Adams, Brown, Beran & Ball, Chartered for audit services for the year 2017. Motion seconded by Kathy Richardson and passed unanimously by roll call vote.

RESOLUTION 03-17 – DOGWOOD GENERATION - Resolution 03-17 authorized the Mayor and City Clerk to execute the Dogwood Energy Facility Agreement between the City of Lindsborg and the Kansas Municipal Energy Agency (KMEA), plus provides the authorization to execute the Toll Back Agreement at the time the financing closes for the purchase by KMEA of a 62-megawatt (MW) piece of the 615 MW Dogwood Energy Center. The City would receive 2 MWs of capacity and energy from this facility when the current contract with Westar Energy expires on May 31, 2020. An analysis was completed that shows participating in this project and purchasing capacity and energy in the SPP market would save approximately \$900,000 per year in capacity costs. The Dogwood Facility Agreement, the Toll Back Agreement are attached. Also included for reference are the power supply analysis, a debt scenario, purchase schedule for Dogwood Energy Facility and the approval schedule of potential participating cities.

Betty Nelson moved to approve Resolution No. 03-17, which authorizes the Mayor and City Clerk to execute the Dogwood Energy Facility Agreement between the City of

Lindsborg and the Kansas Municipal Energy Agency and to execute the Toll Back Agreement when the financing closing for the purchase of the Dogwood Energy Facility. Motion seconded by David Higbee and passed unanimously by roll call vote.

ORDINANCE 5052 – POSSESSION OF DRUGS & PARAPHERNALIA - The Legislature has met and made the decision to change the penalty section for the possession of marijuana paraphernalia. The decision was to change this crime from a Class A misdemeanor violation to a Class B misdemeanor violation. Class B being a lessor crime. This was done to bring it in line with the possession of marijuana statute, which was changed by State statute last year to a Class B. Unfortunately, we did not make that change last year so we will also be changing the possession of marijuana to a Class B misdemeanor as well. Per statute a Class A violation is a definite term of confinement in the County Jail which shall be fixed by the court and shall not exceed one year with a fine not to exceed \$2,500.00. Per statute a Class B violation is a definite term of confinement in the County Jail which shall be fixed by the court and shall not exceed six months with a fine not to exceed \$1,000.00. This would also affect the bond that we place on those arrested. A class A requires a \$500.00 bond and a Class B requires a \$250.00 bond. David Higbee moved to adopt Ordinance 5052 for the acceptance of change to the penalty section 32-72 and 32-73 of the Lindsborg Municipal Code. Motion seconded by Emile Gallant and passed unanimously by roll call vote.

SUNDSTROM CONFERENCE CENTER CLEANING BIDS - The previously contracted janitorial company has ended their term of service. A new quote was received from a company in the McPherson area. This company was given to Sundstrom Staff upon recommendation from a Sundstrom Board member. The additional quotes listed were

gathered during our previous search for a janitorial company in 2016. The newest quote from Heartland Surface Restoration outlines a service agreement of \$125 per week or \$540 per month (weekly fee x 52 weeks/ 12 months). This weekly fee is increased per week as compared to our previous contract. The additional fee per month covers cleaning of the 2nd floor as needed throughout the year.

Previously approved: \$100 per week for first floor cleaning (excluding kitchen, office, bar) = \$5200/year

\$1,500 per year for second floor cleaning. Total \$6,700 per year

Total quoted for weekly cleaning of first floor and cleaning of second floor as needed: \$125 per week = \$540 per month = \$6,480 per year.

Kathy Richardson moved to approve the quote from Heartland Surface Restoration at a cost not to exceed \$6,480.00 per year. Motion seconded by Blaine Heble and passed unanimously by roll call vote.

STORMWATER UTILITY/GARFIELD DRAINAGE SCOPE OF SERVICE CHANGE - The City contracted with Wilson & Company for the Stormwater Feasibility Study in the amount of \$68,873.00. The feasibility study has been completed and to date \$25,751.99 remains in unexpended encumbrance. The Garfield Drainage Project scope of work did not include the surveying and development of legal descriptions for easements, an additional topographic survey for proposed berm, mapping coordination with Kansas Division of Water Resources (DWR) regarding FEMA floodplain remapping efforts, additional hydraulic modeling, analysis and design services based upon DWR/FEMA input, and bidding services. The proposal is to have these additional services under the Stormwater Feasibility Study encumbrance as money remains in the encumbrance and the scope of services for the stormwater study has been completed. Betty Nelson moved to approve the additional scope of services items for the Garfield Drainage Project under the Stormwater Feasibility Study. Motion seconded by David Higbee and passed unanimously by roll call vote.

LIBRARY AIR CONDITIONER COIL REPLACEMENT - The City of Lindsborg owns the Lindsborg Library Building and leases the building to the library. Under the lease agreement, the City "...at its cost, shall maintain the exterior of the building, the roof, foundation, plumbing facilities and common areas thereof in good state of repair." On Wednesday, July 5th, the City was contacted by a representative of Pestinger Heating & Air to inspect the coils on two air conditioning units on the roof of the library building. The coils on the two AC units had experienced considerable hail damaged and could not be combed out. Under the lease agreement, the City is responsible for the repair. A quote was received from Pestinger Heating & Air to replace the coils on a Lennox GCS16-060-120-5P and for a Comfortmaker CAC048AKA1. The quoted amount for replacing the 2 coils and recharging both units is \$4,695.00. Only one quote was solicited as Pestinger is the authorized dealer for this area. The City's insurance carrier has inspected the units and has provided the insurance inspection and review report. Betty Nelson moved to approve the quote from Pestinger Heating & Air to replace the coils on a Lennox GCS16-060-120-5P and a Comfortmaker CAC048AKA1 and recharge both units in the amount of \$4,695.00. Motion seconded by David Higbee and passed unanimously by roll call vote.

Executive Session - Blaine Heble moved to go into executive session to discuss potential litigation pursuant to attorney-client privilege exception, K.S.A. 75-4319(b)(2) and to include the city attorney, recreation director and city administrator. The open meeting will resume in the city council chamber at 7:43 p.m. Motion seconded by Emile Gallant and passed. Upon return to open session, Blaine Heble moved to proceed with litigations against Astratek Resurfacing. Motion seconded by Emile Gallant and passed unanimously by roll call vote.

Department Head Reports – COMMUNITY DEVELOPMENT/PARKS – Community Development Director absent – no report

RECREATION – Recreation Director, Kate Elliott, updated council on Camp Dala Days; reported at the Lindsborg Golf course was a finalist for best golf course in the area in the Salina Journal; gave numbers of rounds played comparison with last year. Numbers are up!

ADMINISTRATION AND FINANCE – The City Administrator shared the most recent financials for all but the reserve funds.

Other – The Kansas Women Attorneys annual conference is this week. Blaine Heble thanked the public works department for their quick response to the power outage at his church on Sunday. Kathy Richardson thanked staff the FAQ's for the Stormwater Utility Project. Bill Gusenius noted that prior to 1977, Lindsborg had no City Administrator and the city's first City Administrator, Alden Shields, had passed away.

Adjournment – Emile Gallant moved to adjourn the meeting. Motion seconded by Kathy Richardson and passed. Meeting adjourned at 7:51 p.m.

Respectfully submitted,

Jerry Lovett-Sperling, MMC City Clerk