

City Council Meeting Minutes
City of Larned
April 4, 2022
6:30 PM

Mayor William Nusser called the regular session to order with the following Councilmembers present: Councilmember Kim Barnes, Councilmember Jason Murray, Councilmember Terry Clark, Councilmember Gary Rainbolt, Councilmember Carroll Bennett, Councilmember Josh Riedel, Councilmember Sharon McGinnes and Councilmember George Elmore

City Manager Bradley Eilts, City Clerk Kara Rath, Finance Director Monica Steiner, City Inspector Will Tice and City Attorney Ron Smith were also present.

Visitors: Mike Gilmore, Clayton Gregg, Gasper Falcon, David Sallee, Josh Taylor, Joan Wilson, Dennis Wilson, Don Augustine, Fred Taylor, Allen Taylor, Kyle Beckwith, Rachel Hill, Colby Hill, Leonard Herrman, Ralph Streit, Jane Bleakney

Pledge of Allegiance.

Approval of Agenda

Mayor Nusser asked that under Council Discussion an Item C be added for discussion of the sale of the Scout building. Councilmember Elmore motioned to approve the agenda with added item C; Councilmember McGinness seconded.

Motion passed.

Approval of Consent Agenda

Councilmember Murray motioned to approve the consent agenda. Councilmember Elmore seconded.

Motioned passed.

Appropriation Ordinance #3

Finance Director, Monica Steiner reported on the expenses listed on the financial report. On a motion by Councilmember Barnes and seconded by Councilmember Clark and carried for Appropriation Ordinance #3 in the amount of \$712,278.49 and transfers more or less were approved for payment.

Motion passed.

Public Comments

None

Old Business

MWE Contract

The final Agreement describing the in-scope and out-of-scope services and the fee schedule were presented to the Council by Fred Taylor. The arrangement spells out the responsibilities of both parties; however, this Agreement differentiates between services that will be performed on a day-to-day basis, service and trouble calls, preventative maintenance, and maintenance work, as well as call outs for emergency situations including power outages due to storms or other circumstances. The blanket cost for these in-scope monthly services is \$25,639.16.

Other services that are not as routine or that will require additional workers, more assistance, or construction related items fall into the out-of-scope services. These services generally include any services not included in the in-scope services. The determination of the use of out-of-scope services is primarily that of the City of Larned; however, in an emergency event, such as a major storm, a contingency allows MWE to provide the service and advise us of the situation within a reasonable time, in order to assure the best level of service to our customers. The out-of-scope services will be paid through a levelized monthly basis allowing for a more stable and consistent cash flow. The monthly amount is \$7,436.31. If, at the end of the year, the City has not used the full amount allotted, then up to \$20,000 can be reallocated for the following year.

The term of the Agreement is for an initial ten-year period with an automatic extension for one five-year term; however, either party can terminate the Agreement with a 180-day notice.

Councilmember Barnes motioned to approve the MWE contract as presented with a monthly cost of \$33,075.46; Councilmember Elmore seconded the motion.

Motion passed.

New Business

CDBG Waterline Change Order Request

True Solutions has submitted a Change Order Request for the CDBG Waterline project. The request addresses Sales Tax owed on the project, additional administration and cost inflation incurred by True Solutions, Sales Tax late fees, and extension for completion of the work.

Clayton Gregg with True Solutions presented to Council the problems that have occurred and their solutions to fix them, particularly the deadline to complete the project by May 31st. True Solutions has called in more employees to finish the project.

The Change order request totals \$103,295.45. A late fee may be assessed on the Sales Tax by the State of Kansas.

Councilmember Elmore motioned to approve the Change order, Councilmember Rainbolt seconded.

Motion passed.

Unsafe Structure Notice

Building Inspector Will Tice has identified three structures that are unsafe, dilapidated and abandoned that need to be addressed:

- 810 Topeka St.
- 530 W 1st St.
- 301 W 1st St.

Demolition of private property is protected extensively by State Statute. However, there are legal avenues to address unsafe, blighted, or dangerous structures that fall within the health, safety, and welfare of the community.

Kansas Statutes Annotated (KSA) 12-1750 et. al addresses unsafe or dangerous structures and abandoned property. The Governing Body of any City has the power to cause removal of any structure within the City that has become unsafe or dangerous (KSA 12-1751). The standard condemnation process utilizes a Resolution passed by a Governing Body that must be published in the newspaper twice and then a Public Hearing is set at least 30 days after the second publication (KSA 12-175). At the Public Hearing, the Council should require building owners to submit plans for rehabilitating their buildings with a firm timeframe or determine whether to demolish the structure and assess the costs to the owner.

Although the costs will be assessed to the property owner, it is anticipated that the City of Larned will bare the full costs of demolition.

Councilmember McGinness motioned to accept the notice by Will Tice of unsafe properties, adopt the Resolutions of Unsafe structures that will be published in the newspaper for two consecutive weeks and set a public hearing at the June Regular City Council Meeting. Councilmember Murray seconded the motion.

Motion passed.

Governing Body Discussion

Mayor Nusser asked for support from Council regarding the pool grand opening hamburger feed for second year. He also asked for support on the lighting of the Water Tower celebration. Councilmembers discussed that it would be nice to light the Water Tower on major holidays.

Councilmember Riedel asked Allen Taylor on his plans for street improvements.

Mayor Nusser discussed the possible sale of the Scout Building south of the ball fields at Schnack Park. The interested party will present to Council at the next regular session.

Fire Department Update

Chief Herrman gave an update about the wildfire that occurred March 29th and 30th. The department had a tremendous response from mutual aid. The Kansas Forest Service brought a plane that dropped water on the fires, the plane came from Hutchinson.


Three of the departments' vehicles were damaged in the fire. The Chief and his staff have assessed the damage and are working with area repair shops to get them in and get them worked on.

Adjournment

Meeting adjourned.



City Clerk, Kara Rath



Mayor, William Nusser