

City Council Meeting Minutes
City of Larned
October 3, 2022
6:30 PM

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

Councilmember Jason Murray was absent.

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

Visitors: Josh Taylor, Jason Zink, Judi Tabler, Mike Gilmore, Dale Vanderhoof, Rick Reason, Matt Reason, Ralph Streit, Diane Hofer, Chris Burris, Dody Burke, Kyle Beckwith, Steve Gross

Approval of Agenda

Councilmember Riedel requested that the topic of streets be added at the end of the agenda. Mayor Nusser suggested that the executive session for Attorney-Client privilege regarding Legal matters be moved to the CDBG Waterline Change Order, if needed. Councilmember Bennett motioned to approve the amended agenda; Councilmember Rainbolt seconded.

Motion passed.

Consent Agenda

Councilmember Barnes ask for an amendment to the September minutes to reflect the Council would like to see a street plan. Councilmember Clark motioned to approve the Consent Agenda, Councilmember Riedel seconded.

Motion passed.

Appropriation Ordinance #9

Finance Director Monica Steiner reported on the expenses listed on the financial report. On a motion by Councilmember Barnes and seconded by Councilmember Elmore and carried for Appropriation Ordinance #9 in the amount of \$929,188.59 and transfers more or less were approved for payment.

Motion passed.

Public Comments

Lonnie Fehrenbacher, Statue of Liberty

Presentations

Greg Wright, Priority Power

Greg spoke to the Council regarding our current firm power that is purchased through Midwest Energy (MWE) and the Grand River Dam Authority (GRDA). In May 2026 the GRDA firm power contract will be up. Greg spoke regarding the options that we have including creating our own solar field. The City would need 18-20 acres of land to house the panels, this would possibly create 2-3 megawatts of electricity for the City. Greg will come back to the December meeting with more firm costs and information.

Tree Board

Will Tice showed the Council the Master plan that himself, Allen Taylor, Josh Kraisinger and the Tree Board have been working on. The plan addresses issues at Jordaan Park and Schnack Park.

Old Business

Clean Water Drinking Fee

In 2004, the Legislature adopted Senate Bill 147, which provided municipal water systems the option of adopting a three cent per 1,000-gallon fee called the Clean Water Drinking (CWD) Fee on all retail water sales. Communities could, instead of paying the fee, choose to pay sales tax on water distribution activities which would include materials, contracted labor, and other related items. The vast majority of communities elected to adopt and pay the fee. Larned did not.

Staff has asked Council to revisit this decision. Key considerations include: once a Governing Body opts in to start paying the clean drinking water fee it is irrevocable. The Water Protection Fee (3.2 cents per 1,000-gallons) is in addition to the Clean Water Drinking Fee (3 cents per 1,000-gallons) and sales tax. The fee cannot be billed to a systems water customer; it must be paid for by the water system. A Governing Body can only elect to start paying the Fee at the beginning of a quarter. The application to start paying the clean drinking water fee must be received by the Department of Revenue at least 30 days prior to the beginning of a quarter.

The average payment for the Water Protection Fee per year between 2017-2021 was roughly \$7,500. The breakeven point for this would be approximately \$88,500 in taxable goods and services for the Water Department. With a focus on infrastructure and improvements by the Council and the availability of grant funds, the breakeven point is not a high enough bar.

Councilmember Barnes motioned to pay the Clean Water Drinking Fee. Councilmember Riedel seconded. This will go into effect 1/1/2023.

Motion passed.

New Business

CDBG Waterline Change Order

The Change Order is a reduction of \$15,042 which includes changes in materials and connections, a reduction in sales tax and the Contractors reimbursement for additional engineering costs of \$12,000. The Contractor has agreed to reduce the contract by \$12,000 to cover additional engineering costs that we incurred by the City due to the project extending past the contract timeline. The final payout must be made by October 14th per CDBG regulations.

Councilmember Riedel motioned to hold back the full amount of damages from the substantial completion date at \$500 per day. Councilmember McGinness seconded the motion.

After discussion motion passed.

Downtown Economic Development

Councilmember McGinness read a letter regarding the downtown business district and economic development.

No action taken.

Airport Projects

Annually the FAA requests that general aviation airports submit a list of projects that may be needed at the local level over the next few years for overall capital planning and budgeting purposes. In 2020/2021, the Airport Advisory Board identified joint sealing, repairs to the runway, taxiway and apron. In 2021, the FAA and the KDOT-Aviation Division (AD) decided to fund it as a Federal Fiscal Year 2022 project. However, the consultant solicitation which needs to be updated every five years had expired and the timeframe for acceptance of the Federal reimbursement could not be met. The Airport Advisory Board met and recommended renewal of Olsson as the consultant as we have worked with them for a number of years and on several airport projects.

The FAA and KDOT-AD have an interest again in funding this project. The estimated total cost for the project is \$930,00 or 90% that the FAA would fund for the project. The project will require a local match of 10%. The Airport is owned by both the City and the County. Capital projects such as this are shared equally between the entities. In this case the match totals \$93,00 and each entity will need to come up with \$46,500.

Members of the Airport Advisory Board advised the Council that the County had approved funding their half of the 10% match at their meeting earlier in the day.

Councilmember Riedel motioned to approve the federal reimbursement grant for Airport pavement improvements at \$46,500; Councilmember Elmore seconded.

Motion passed.

Amendment in Municipal Court Costs

In 1999, the Larned City Council chartered out from under the State statutes (Charter Ordinance #18) which allowed the Council by "ordinary ordinance" to set "general assessment" of court costs.

The current total court assessment is \$73.50 and has been for sometime according to City Attorney Ron Smith. The proposed Ordinance raises court costs for moving violations from current \$73.50 to \$108 (same cost as Pawnee County Court). Non-moving violations remain at \$50.

On a roll call vote 7 aye, 0 nay.

Streets

Councilmember Riedel presented a bid for sealing streets. It would be approximately \$56,000 for the County to seal 25 City blocks. All street sealing would have to be completed by the end of October. Currently the County is sealing roads and will not be done until the end of the first week of October. It will cost approximately \$96,000 to contract the work out.

Councilmember Riedel motioned to seal 25 blocks done by the County with collaboration with City Street Department. Funds to come out of Special Highway.

No second was heard, motion died.

The Council directed staff to get with Allen Taylor for a specific five-year plan and bring it to the December Council meeting.

Executive Session

City Manager's Evaluation and Contract Renewal

Mayor Nusser called for executive session regarding non-elected personnel matters for the evaluation and contract renewal of the City Manager.

Councilmember Elmore motioned to recess into executive session to discuss nonelected personnel matters, specifically the evaluation and contract renewal of the City Manager. Councilmember Rainbolt seconded.

Councilmember Elmore motioned that the Council reconvene and open the meeting in the Council chambers at 9:00 p.m. Councilmember Rainbolt seconded.

Motion passed.

Mayor Nusser opened the Council meeting at 9:00 P.M. in the Council chambers. He announced the executive session regarding non-elected personnel matters for the evaluation and contract renewal of the City Manager.


Councilmember Barnes motioned to give City Manager Eilts a 2.5% merit raise on top of the cost-of-living raise that was given to all City employees in the first pay period of January 2022. Councilmember McGinness seconded the motion.

Motion passed.

Meeting adjourned.



City Clerk, Kara Rath



Mayor, William Nusser