

**WASHINGTON CITY COUNCIL MINUTES**  
**Regular Meeting – City Hall**  
**December 6, 2021**

**1. Call to order by Mayor.**

**2. Roll Call.**

Present: Ryan Kern, Mayor  
Kevin Elder, Council Member  
Theresa Herrs, Council Member  
Carolyn Pinnick, Council Member  
Roxanne Schottel, Council Member

Absent: Don Imhoff, Council Member

Staff Present: Carl Chalfant, City Administrator  
Denise Powell, City Clerk  
Richard Applegarth, Power Plant Operator  
Terry Morse, Power Plant Operator

Others: Cynthia Scheer, Washington County News  
Jerry Fuhrken, Washington  
Keith Guffey, American Realty  
Paul Monty, Washington Rotary Club  
Deb Richie, Farabee Mechanical Inc.

**3. Citizens Comments.**

No public comments.

**4. Minutes.**

Motion to approve the minutes of the regular meeting held November 1, 2021, and special meeting minutes held November 19, 2021 by Schottel and seconded by Herrs.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

**5. Appropriations Ordinance 2021-12.**

Motion to approve appropriations ordinance 2021-12 by Herrs and seconded by Elder.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

**6. Business Incentive Plan Request.**

Keith Guffey, American Realty, the landlord for the Family Dollar/Dollar Tree, visited with the Council about the City's Business Utility Incentive Plan. The City's plan doesn't allow the landlord/developer to recoup any of the cost expended for the electric utility. The policy states the business shall be reimbursed as a credit to the utility account if they utilize a minimum of 40% of the capacity of the meter or transformer set per month. Guffey would like to recoup the cost with payment going to the landlord and not credited to the bill.

Council Member Roxanne Schottel asked Guffey if the issue could be addressed in the lease agreement with the tenant. Guffey stated the agreement was already signed.

Mayor Ryan Kern stated "the consensus of the Council was they would like to do something but are not able to give him an answer tonight. The City needs to explore the options and also do what is best for the City."

**7. Rotary Club Request.**

Paul Monty on behalf of Rotary Club visited with the Council about utilizing the old tennis court for a pickle ball court. Monty stated the request is to use the south end of the north tennis court. If the Council thinks this would work, they will continue to explore. The consensus of the Council is to work with the Rotary on the pickle ball court.

**8. Electric Material Quote.**

Motion to approve the purchase of electric materials from Border States in the amount of \$13,079.67 by Schottel and seconded by Elder.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

**9. KMEA Rate Study.**

Darren Prince, KMEA, sent a Generation Costs and Electric Rate Study update of his preliminary findings. Prince will present his final study at a later date in person. Preliminary study shows a possible increase of .006 cents per kilowatt for the purchase of the two engines.

**10. Employee Christmas.**

Consensus of the Council is to give \$50 scrip for fulltime employees and \$30 scrip for parttime employees.

**11. Hay Rights Bid.**

Motion to accept the bid and authorize the mayor to sign the lease agreement effective upon acceptance of bid from Ryan Nelson in the amount of \$80.00 for one year for haying rights on approximately 6 acres more or less on the W 1/2 of the NE 1/4 of 33-2-3 which terminates on December 31, 2022 by Pinnick and seconded by Elder.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

**12. Cereal Malt Beverage Licenses.**

Motion to approve 2022 cereal malt beverage licenses for Casey’s Retail Company, Leiszler Oil dba Short Stop #25, and Washington Bowl by Schottel and seconded by Elder.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

**13. Refuse Hauler Licenses.**

Motion to approve 2022 refuse hauler licenses for C&M Refuse, Inc., Jones Trash Service, Get Er Dumped, Durlflinger Disposal Service and Temps Disposal Service, Inc., by Schottel and seconded by Elder.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

**14. Power Plant Operator Application.**

Motion to ratify the hiring of David L’Ecuyer as power plant operator at \$14.50 per hour with a six-month probationary period retroactive to November 29, 2021, by Schottel and seconded by Pinnick.

Vote: Ayes: Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel  
Abstain: Kevin Elder

**15. EMC Insurance Claim.**

Motion to authorize the Mayor to sign the Sworn Statement in Proof of Loss for Claim No. 1675210 for EMC Insurance Companies by Schottel and seconded by Elder.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

**16. Server.**

Motion to accept the bid of \$11,117.15 from CIC for server by Schottel and second by Elder.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

**17. Water Project Engineering Agreement Amendment.**

Motion to approve and authorize the Mayor to sign the Amendment to Owner-Engineer Agreement Amendment No. 1 by Herrs and seconded by Pinnick.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

**18. Control Water Project Monitoring Upgrades.**

Motion to approve the estimate for control upgrades for water monitoring and labor for installation at a cost of \$11,938.46 by Sargent Drilling and authorize the Mayor to execute the notice of award for the total contract price of \$196,989.97 and proceed with construction contingent upon USDA approval and funding by Herrs and seconded by Elder.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

**19. Power Plant Purchasing and Financing.**

Motion to approve the purchase of two engines from Farabee Mechanical, Inc., to deliver and install 2-2000KW Fairbanks Morse Dual Fuel Engine Generator Sets with a 1 year 1,000-hour warranty at a cost not to exceed \$1,827,675 (Bid Option 2) contingent upon financing by Elder and seconded by Pinnick.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

Motion to approve the master service agreement as presented by KMEA Mid-States relating to the provisions of engineering, procurement and construction services as described for 2-2000KW Fairbanks Morse Dual Fuel

Engine Generator Sets not to exceed \$300,000 plus performance bond of \$4,500 by Elder and seconded by Pinnick.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

Motion to approve the acceptance agreement with Power Plant Compliance for the purchase of 2-DCL 69.5 200 cpsi 48” round catalysts, performance test 2 Stationary Reciprocating Internal Combustion Engines Inlet and Outlet and obtain Construction Permit Compliance at a cost not to exceed \$34,982 by Elder and seconded by Pinnick.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

Staff was directed by the Council to send out bids for financing and opening and closing a wall to install the engines at the power plant.

## 20. Opioid Resolution.

Motion to adopt resolution 2021-08, A RESOLUTION OF THE CITY OF WASHINGTON, KANSAS, APPROVING THE EXECUTION AND DELIVERY OF AN AGREEMENT TO RELEASE AND ASSIGN THE CITY’S OPIOID CLAIMS TO THE KANSAS ATTORNEY GENERAL AND CERTIFYING COSTS ATTRIBUTABLE TO SUBSTANCE ABUSE AND ADDICTION MITIGATION IN EXCESS OF \$500, by Herrs and seconded by Schottel.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

## 21. Federal Surplus Property Program Eligibility.

Motion to approve and authorize the Mayor to sign the Federal Surplus Property Program Eligibility Application appointing City Administrator Carl Chalfant and City Clerk Denise Powell as persons authorized to sign for the release of property on the City’s behalf by Elder and seconded by Herrs.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

## 22. City Administrator Report.

- a) **Yard Waste Permit 918.** The City’s compost permit has been renewed.
- b) **Full-time EMT Hours.** Full-time EMT Caroline Scoville has been continuing to cover a significant amount of call time during her off hours. The Council was given an updated report for review.
- c) **Munchkinland Assessment.** Monday, November 15, 2021, Kyle Cundy, Project Manager for Leathers & Associates, contacted staff via email to inquire if the Council has any questions regarding the assessment, or has made any decisions on the assessment that was completed this fall. Staff was made aware of this post on social media on 11/15/2021 concerning the distance between the swings and the ground. The playground is in need of 2 semi loads of mulch. The current price from Custom Play Systems is \$6,800.00 (depending on fuel fluctuation prices). The current price from All Inclusive Rec is \$7,463.63.

- d) **Water Tower and Industrial Park.** Brian Foster, BG Consultants, received information from USDA to proceed with sending out RFPs for water tower painting and for Sargent Drilling to proceed with the improvements at the wells. The water tower bids have been sent out and are due January 7, 2022, by 3:30 p.m. Staff has requested the regular January meeting to be adjourned until 12:00 p.m., on January 10, 2022 for review and approval of the bids.
- e) **CIPP 2022 Project.** City Administrator Carl Chalfant is compiling information from neighboring cities to prepare an RFP for CIPP lining to be sent out in January for a February bid opening.
- f) **Power Plant Roof Leak.** McGee Roofing did repair the roof at the power plant while they were here earlier. There hasn't been any rain since to verify the issue was taken care of.
- g) **Proposed Dollar Tree/Family Dollar.** City Administrator and electric staff have been discussing the placement of utilities for the new proposed Dollar Tree/Family Dollar store. City Administrator Carl Chalfant has not received a final site plan but said preliminary plans show the main entrance coming off the highway with delivery truck traffic on the east side of the property going to 6<sup>th</sup> Street. The Council discussed requesting assistance from the contractor to assist with the street surface to handle the truck traffic.
- h) **Sewer Camera.** Staff will be pursuing bids on a refurbished sewer camera after the first of the year.
- i) **City Hall.** Staff needs direction on how the Council would like to proceed with City Hall improvements.

### 23. City Clerk's Report.

- a) **Election Results.** Staff received official notice from Washington County Clerk Diana Svanda that the county certified votes and the three Council Members elected were Jerry Fuhrken, 192 votes; Terry Morse, 172 votes; and Carolyn Pinnick, 216 votes. Newly elected council members will be sworn in January 10<sup>th</sup>, 2022.
- b) **Fuel Adjustment.** The fuel adjustment for bills due December 10, 2021 (October usage) is -.00020 utilizing \$212,489 of expenses that were adjusted to levelize the fuel adjustment on utility bills due to the cold snap February 2021. The remaining expense to be adjusted is \$58,000 of the KMEA EMP2 & KMEA GRDA bills.
- c) **Audit/Budget Assistance.** Consensus of the Council was to obtain a quote from Summers, Spencer & Company, P.A., for the 2021 audits and 2023 budget. An annual audit and single audit will be required for 2021 due to the City expending \$750,000 or more in Federal financial assistance per fiscal year.
- d) **Reports.** The Washington County Senior Citizens Meal Site October 2021 financials for the Washington County Senior Citizens Meal Sites and Washington Fire Department October and November minutes and resignation of Fireman Patrick Belshe on 10-28-2021.

**24. Wage/Cola/Evaluations/Executive Session.**

Motion to go into executive session to discuss employee evaluations for nonelected personnel to resume at 9:35 p.m. include Mayor, Council and City Administrator by Schottel and seconded by Herrs.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

Motion to go into executive session to discuss employee evaluations for nonelected personnel to resume at 9:51 p.m. include Mayor, Council and City Administrator by Schottel and seconded by Herrs.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

Motion to go into executive session to discuss employee evaluations for nonelected personnel to resume at 9:57 p.m. include Mayor, Council, and City Administrator by Schottel and seconded by Herrs.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

Motion to give wage increase as follows: City Administrator 7.5%; City Clerk, Fulltime EMT, Electric Lineman #1, Power Plant Operator #1 10%; Utility Billing Clerk/City Treasurer 15%; EMS Personnel, Fireman, Electric Lineman #3 and Public Works Superintendent 5%; and Street Laborer 3% by Schottel seconded by Herrs.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

Meeting adjourned to December 29, 2021 at Noon by Schottel and seconded by Herrs.

Vote: Ayes: Kevin Elder  
Theresa Herrs  
Carolyn Pinnick  
Roxanne Schottel

Meeting adjourned at 10:07 p.m.

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**Denise M. Powell, City Clerk**