

Minutes of the City Commission's February 8, 2024 Meeting

I. REGULAR SESSION

Commissioners Present: Mayor Tim Emert and Commissioner Dean Hayse

City Staff Present: Kelly Passauer, City Manager; David Cowan, Assistant City Manager; Jeff Chubb, City Attorney; David Schwenker, City Clerk/City Treasurer; Shawn Wallis, Fire/EMS Chief; April Nutt, Director of Housing Authority; Jerry Harrison, Chief of Police and Lacey Lies, Director of Finance.

Visitors Present: Larry McHugh and Breanne Sanford.

A. Call to Order

Mayor Emert called the meeting to order.

B. Pledge of Allegiance to the United States of America

C. Adoption of Agenda

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission adopted the agenda.

Aye: Tim Emert, Dean Hayse

Nay: None

II. APPOINTMENTS

A. Reappoint three members to the Economic Development Advisory Board.

Three members' terms of the Economic Development Advisory Board have expired and are eligible for reappointment.

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ECONOMIC DEVELOPMENT ADVISORY BOARD (3 year terms – 7 members)			
Members	Term	Expires	Appointed
Keith Stone CPA	Unexpired	January 1, 2025	January 26, 2023 Replaced Paul Yaroslaski
Chuck Goad, Chair	1st term*	January 1, 2025	October 10, 2019
Wayne Stephany, Vice Chair	1st term*	January 1, 2025	October 10, 2019
Rod Zinn	1st term	January 1, 2025	January 13, 2022 Replaced Brian Hight
Lori Kelley	1st term*	January 1, 2024	October 10, 2019
Jason Curtis, Secretary	1st term*	January 1, 2024	October 10, 2019
Jim Kelly	Unexpired	January 1, 2024	June 23, 2022
Ex-Officio:			
Lisa Wilson, Director Independence Chamber of Commerce		Melissa Johnson, Director Montgomery County Action Council	
Tabatha Snodgrass, Director Independence Main Street		April Nutt, Director Housing Authority	
Meeting Place: Memorial Hall Meeting Date: First Tuesday Meeting Time: 3:30 PM			

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission reappointed Lori Kelley, Jason Curtis and Jim Kelly to the Economic Development Advisory Board.

Aye: Tim Emert, Dean Hayse

Nay: None

III. CONSENT AGENDA

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission adopted the consent agenda.

Aye: Tim Emert, Dean Hayse

Nay: None

- A. Consider authorizing contract term changes and additional work scope with Professional Engineering Consultants, P.A. (PEC).

PEC has been working through the engineering design and KDHE approval associated with Water Treatment Plant Master Plan items. PEC has requested Supplemental Agreement No. 7 for additional work and KDHE-

required contract modifications.

The additional fee in the supplemental covers the updates to the Preliminary Engineering Report, Anti-Degradation Study, and Waste Stream Summary Report (WSSR) documents required by KDHE after the change in design to the project. These documents must be updated to reflect the dechlorination system design as where we ended up was different than where we were when these documents were originally prepared. The fee also covers filing of the discharge permit application for the changes required by KDHE, and the additional survey needed for the area not included in the previous survey.

The KDHE required contract modifications are due to the project being funded by a KDHE loan.

Suggested Motion:

I move to authorize execution of Supplemental Agreement No. 7 with Professional Engineering Consultants, P.A., in the amount of \$6,400.00.

- B. Consider authorizing street closures for the annual Run4Fun 5K in Riverside Park on May 4, 2024.

The Run4Fun 5K is an annual event that takes place in Riverside Park. Run4Fun is a non-profit organization whose goal is to promote a healthy lifestyle. The event is specifically intended for children ages K-6th. This will be the second year of the event, which was well attended last year. The event requires that streets along the race route be closed to traffic from 7:00 a.m. to 11:30 a.m. The date of the event is May 4, 2024.

Suggested Motion:

I move to authorize the request for street closures in Riverside Park on May 4th from 7:00 a.m. to 11:30 a.m. for the annual Run4Fun 5K.

IV. ITEMS FOR COMMISSION ACTION

- A. Consider adopting an ordinance amending the length of terms on the Tree Board.

The Tree Board is the only City Board with two-year terms. The other boards have three- and four-year terms. The two-year terms cause members to term out with two full terms after serving only four years. Many times, current applicants want to serve additional terms, and because we do not have enough new applicants, they end up being reappointed beyond the recommended two terms. City staff recommends modifying the term length

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for members of the Tree Board from two years to four years. The new term length will start as the current two-year terms expire.

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission adopted an ordinance increasing the length of terms on the Tree Board from two years to four years.

Aye: Tim Emert, Dean Hayse

Nay: None

B. Consider termination of the Stage 1 Water Watch.

The City declared a Stage 1 Water Watch on August 1, 2023 when the water level at Elk City Reservoir dropped to below its normal level by over 3.0 feet in accordance with our Municipal Water Conservation Plan, as approved by the Division of Water Resources.

The level in Elk City is now above the level where a Stage 1 Water Watch is required. As such it is recommended that we terminate the Stage 1 Water Watch at this time.

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission approved Resolution 2024-005, terminating the Stage 1 Water Watch.

Aye: Tim Emert, Dean Hayse

Nay: None

V. REPORTS

A. City Board Minutes

1. January 17, 2024 City Recreation Board Minutes

VI. CITY MANAGER'S COMMENTS

City Manager Passauer reviewed the upcoming meeting dates.

VII. COMMISSIONERS' COMMENTS

None

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VIII. PUBLIC CONCERNS

None

IX. EXECUTIVE SESSION

A. Discussions prior to acquisition of real estate.

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission recessed for an executive session for discussion of possible acquisition of real estate pursuant to the preliminary discussion on acquisition of real estate exception, KSA 75-4319(b)(6). The open meeting will resume at 5:45 p.m.

Aye: Tim Emert, Dean Hayse

Nay: None

The open meeting resumed at 5:45 p.m. with no action taken.

X. ADJOURNMENT

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission adjourned the meeting.

Aye: Tim Emert, Dean Hayse

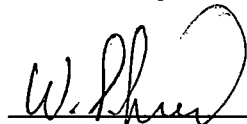
Nay: None



Tim Emert, Mayor



Dean A. Hayse, Commissioner



Scott Smith, Commissioner

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Attest:

A handwritten signature in dark ink, appearing to read "David A. Schuchman", is written over a horizontal line.

City Clerk/Treasurer