

2201

November 19, 2024

**Regular Meeting:**

The Governing Body of the City of Wamego, Kansas, met in a Regular Session on Tuesday, November 19, 2024, at 6:00 P.M. in the City Commission Chambers at 430 Lincoln Avenue. Those present were Commissioners: Dwight Faulkner, Michele Jacobs, Clifford Baughman, William Ditto and Mayor Richard Weixelman.

The City Manager, Stacie Eiche, City Clerk, Shanda Jahnke, City Treasurer, Leslie Dugan and Jake Pugh, City Attorney, were also present.

The City Clerk presented the minutes of the regular meeting of the Governing Body held November 05, 2024. After careful reading and discussion thereof, it was moved by Commissioner Faulkner and seconded by Commissioner Baughman to approve the minutes as presented. Motion carried. Aye: 5, Nay: 0.

The City Clerk submitted Appropriation Ordinance No. 1705 to the Governing Body for their consideration and approval. After careful review and discussion thereof, Commissioner Baughman moved, seconded by Commissioner Jacobs, to approve and adopt Appropriation Ordinance Number 1705. Motion carried. Aye: 5, Nay: 0.

**Public Comments and Communications:**

The next regular work session will be December 03, 2024, at 4:30 p.m.

**Chamber After Hours Request:**

The City Manager reported that a request had been made to allow a Chambers after hours event at the library, due to alcohol being served at the events, approval would require a resolution. Resolution No. 20241119 was read and presented as follows:

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF WAMEGO, KANSAS, AUTHORIZING ALCOHOL CONSUMPTION IN THE WAMEGO PUBLIC LIBRARY LOCATED AT 431 LINCOLN AVENUE WITHIN THE CITY OF WAMEGO ON DECEMBER 19, 2024, FROM 5PM-7PM FOR A CHAMBER OF COMMERCE AFTER HOUR EVENT.

Commissioner Ditto moved, seconded by Commissioner Faulker to approve Resolution No. 20241119, Commissioner Baughman then requested the motion be amended to approve the resolution contingent upon the library closing for library function during the event. Commissioner Ditto moved, seconded by Commissioner Faulkner to approve the amendment. Motion carried. Aye: 5, Nay: 0. Commissioner Ditto moved, Commissioner Faulkner seconded to approve the presented resolution contingent upon library closing for library business during the after-hours event. Motion carried. Aye: 5, Nay: 0.

**Tax Abatement and Industrial Revenue Bond Request:**

Roadrunner Properties was present to request a sales tax exemption and 10-year tax abatement on two additional apartment buildings near the North Ridge complex in the city limits, if awarded the MIH grant sponsored by Pottawatomie County. Commissioner Ditto moved, Commissioner Jacobs, seconded the motion to approve the request. Motion carried. Aye: 5, Nay: 0.

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**Approval of Sale/Purchase of Temporary Notes:**

Kevin Cowan, Gilmore and Bell, was present to answer any questions on the temporary note bond sale recognized in Resolution No. 20241119A. After a brief discussion, Resolution No. 20241119A was read and presented as follows:

A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION RENEWAL TEMPORARY NOTES, SERIES 2024, OF THE CITY OF WAMEGO, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX, IF NECESSARY, FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID NOTES AS THEY BECOME DUE; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

Commissioner Faulkner moved, seconded by Commissioner Baughman to approve Resolution No. 20241119A. Motion carried. Aye: 5, Nay: 0.

**Utility Rate Review:**

The City Manager reminded the Governing Body that it had been recommended for several years that the city recoup more of the fixed costs in customer charge rather than the usage rates. A proposed multi-year plan to make that change and prepare for the electric upgrade had been given previously. It was her recommendation to make the proposed electric rate increase but keep water and sewer the same until the recommended electric plan was completed if possible. Ordinance No. 1809 was presented as follows:

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF WAMEGO, KANSAS, AMENDING PARAGRAPHS 15-208 THROUGH 15-214 AND 15-216 OF THE CODE OF THE CITY OF WAMEGO, KANSAS, ESTABLISHING NEW RATES FOR ELECTRICITY SUPPLIED TO CITY OF WAMEGO, KANSAS ELECTRIC UTILITY CUSTOMERS, AND FOR SPACE LIGHTING; AND REPEALING ORDINANCES 1610, 1725, 1768,1776, 1782, 1797 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Commissioner Ditto moved to approve Ordinance No. 1809. Commissioner Baughman seconded the motion. Motion carried. Aye: 4, Nay: 1, Commissioner Weixelman.

**Tree Code Review:**

Stacie advised that throughout the street project, multiple issues with trees in the right-of-way, known as street trees, had come up. As previously discussed, in recent months some street trees damaged in high winds or storms that caused property damage had been assessed to the city. Street trees often cause damage to sidewalks, curbs and underground utilities, it was her and staff recommendation to no longer allow trees to be planted in the city right-of-way. Ordinance No. 1810 was presented as follows:

AN ORDINANCE AMENDING ARTICLE 3 OF CHAPTER XIII OF THE CODE OF THE CITY OF WAMEGO, KANSAS, REPEALING ORDINANCES 1037 and 1090 AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Commissioner Jacobs moved, seconded by Commissioner Baughman to approve Ordinance No. 1810 contingent upon City Attorney review. Motion carried. Aye: 5, Nay: 0.

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**Burn Site Review (Leaf/Limb Dump):**

The City Manager reminded the Governing Body of the issues previously discussed regarding the burn site and Pottawatomie County choosing to not partner or assist in the upkeep. After speaking with city staff, it was their recommendation to no longer allow commercial arborists and landscapers to use the facility. Ordinance No. 1811 was presented as follows:

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF WAMEGO, KANSAS, AMENDING CHAPTER XV. UTILITIES ARTICLE 5. LEAF, LIMB AND GRASS BURN SITE, SETTING FORTH REGULATIONS AND PENALTIES GOVERNING THE USE OF THE SITE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Commissioner Baughman moved, seconded by Commissioner Faulkner to approve Ordinance No. 1811. Motion carried. Aye: 5, Nay: 0.

**Arborist License Review:**

Stacie reminded the Governing Body that the arborist license fee had been increased several years ago due to the amount of debris they were bringing to the burn site. With the approval of Ordinance No. 1811, which prohibits commercial arborists and landscapers from using the burn site facility, it was her recommendation to lower their license fee. Ordinance No. 1812 was presented as follows:

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF WAMEGO, KANSAS, AMENDING PARAGRAPH 13-317 OF THE CODE OF THE CITY OF WAMEGO, KANSAS, REMOVING A COMPETENCY TEST REQUIREMENT FOR LICENSING OF ARBORISTS TO WORK WITHIN THE CITY OF WAMEGO, ESTABLISHING A \$50 ANNUAL ARBORIST LICENSING FEE; AND REPEALING ORDINANCE 1765 AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Commissioner Baughman moved, seconded by Commissioner Jacobs to approve Ordinance No. 1812. Motion carried. Aye: 5, Nay: 0.

**KMEA Solar Agreement with NextEra:**

The City Manager advised that she has received an agreement with NextEra from KMEA for utility solar power that would increase the City of Wamego's energy capacity an additional 3 megawatts if the project goes through. This would be a 40-year agreement. This would be like the other long-term energy agreements that are currently in place. Commissioner Ditto moved, seconded by Commissioner Baughman to approve the proposed agreement contingent on the City Attorney review. Motion carried. Aye: 5, Nay: 0.

**Utility Solar Resolution:**

Resolution No. 20241119B was presented as follows as a procedural resolution in relation to the KMEA Solar Agreement with NextEra in the previous item:

A RESOLUTION OF THE CITY OF WAMEGO KANSAS, AUTHORIZING THE EXECUTION OF THE NINNESCAH FLATS SOLAR PROJECT AGREEMENT BETWEEN THE CITY OF WAMEGO KANSAS, AND THE KANSAS MUNICIPAL ENERGY AGENCY; AND MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.

Commissioner Ditto moved, seconded by Commissioner Baughman to approve Resolution No. 20241119B. Motion carried. Aye: 5, Nay: 0.

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November 19, 2024

**Personnel Policy Update:**

The City Manager reported several wording changes were made to the employee personnel policy. Commissioner Faulkner moved, seconded by Commissioner Baughman to approve the personnel policy as presented. Motion carried. Aye: 5, Nay: 0.

**Employee Cost of Living (COLA) Increase and Merit 2025:**

Stacie reported that according to the social security administration the annual cost of living increase for 2025 is 2.5%, it would be her recommendation for 2025 to have a similar COLA increase with the potential of up to a 1.5% merit increase for full-time employees. Commissioner Jacobs moved, seconded by Commissioner Faulkner, to approve a 2.5% COLA with the potential of a 1.5% merit increase for full-time employees. Motion carried. Aye:5. Nay:0.

**Project Updates and Change Orders:**

The City Manager advised that rain has temporarily delayed the street project, but they were hoping to get back on schedule soon.

A change order had been received for the patrol unit approved at the previous meeting in the amount of \$49805.17, in re-allocating the old unit to the fire department, the new total would be \$53065.17. Commissioner Baughman moved to approve the change order; Commissioner Jacobs seconded the motion. Motion carried. Aye:5. Nay:0.

Stacie advised that Maggie Strait, Recreation Director, had spoken with the USD 320 regarding the Midwest Laser Leveling proposal accepted at the previous meeting that didn't include a mound for field 1. After speaking with Midwest there would be an increase of \$2500 to include a mound. Commissioner Ditto moved, seconded by Commissioner Faulkner to approve the \$2500 change order to include a mound. Motion carried. Aye:5. Nay:0.

The City Manager reported that a change order had been received to include an additional area of concrete at the entrance to the hospital and county club parking lots due to a drainage issue. Initially city staff was going to repair the area but with the drainage issue it was her recommendation to approve a change order in the amount of \$15,000 to repair the area at the same time as the original work was to be completed. Commissioner Jacobs moved to approve the change order as presented. Commissioner Ditto seconded the motion. Motion carried. Aye:5. Nay:0.

**Purchase Requests:**

Stacie reported that there was a miscommunication with regarding a pump for the extrication tools for the fire department, originally, she was told that the cost would be \$7000. However when the invoice was received the cost was \$13,321.73. It was her recommendation to approve the purchase and order a second pump at the same cost to allow two sets of extrication tools that match for the department. Commissioner Jacobs moved, Commissioner Faulkner seconded, to approve the purchase as presented. Motion carried. Aye: 5, Nay: 0.

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**City Manager and Other Reports - City Manager**

The library minutes, financials and statistics were included in the meeting packet.

At this time, Commissioner Jacobs moved to adjourn into executive session for thirty (30) minutes to discuss confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts, individual proprietorships, non-elected personnel, and potential litigation, the regular meeting would be reconvened at 7:15 P.M., Commissioner Baughman seconded the motion. Motion carried. Aye:5, Nay:0.

The meeting was reconvened.

At this time, Commissioner Jacobs moved to adjourn into executive session for an additional fifteen (15) minutes to discuss non-elected personnel, the regular meeting would be reconvened at 7:30 P.M., Commissioner Faulkner seconded the motion. Motion carried. Aye:5, Nay:0.

The meeting was reconvened.

At this time, Commissioner Jacobs moved to adjourn into executive session for an additional fifteen (15) minutes to discuss non-elected personnel, the regular meeting would be reconvened at 7:45 P.M., Commissioner Baughman seconded the motion. Motion carried. Aye:5, Nay:0.

The meeting was reconvened.

No further business appearing, the meeting was adjourned.

/s/ Richard Weixelman, Mayor

ATTEST:

/s/ Shanda Jahnke, City Clerk