

To: City Commissioners
From: Cyndra Kastens

Re: City Clerk/Administrator Report
10/1/24

PUBLIC COMMENT –

Public Comment allows the public an opportunity to address the City Commission. There is a five minute per person limit on public comments.

CONSENT AGENDA

1. Approve September 17, 2024 Regular Meeting Minutes
2. Special Appropriations
 - Fund #58 Eco Devo CDBG - SCKEDD - \$8,000.00 - Housing Insp, Lead, Radon x 4 FY23-HR-003
 - Fund #34 Street Improvements-EBH-\$1,542.34-Engineering FY25 CCLIP ANTHONY K44
3. Appropriation Ordinance No. 3199 \$ 346,215.30
4. Approve 09.24.2024 Payroll \$64,472.25
5. Approve Pay Request #2 CDBG Grant 23-HR-003 \$8,000.00
6. Approve Pay Request #10 KDOT Project No. KA-6909-01 \$1,542.34 Engineering to EBH for FY25 CCLIP Main & Anthony
7. Approve September 2024 Court Report

PUBLIC HEARINGS - NONE

REGULAR BUSINESS

8. Request to Waive Hall Rental Fees Anthony Gun Club, Nov. 8, 2024 - Sid Burkholder
9. Request to Waive Hall Rental Fees & Approve CMB Hall Application - Arts Center - Jennifer Wolff
10. Cobblestone Hotel Tax Discussion - G Kalabha

This was requested by Commissioner Hatfield

11. Approve Change for Carport in City Right of Way - 523 N Springfield – White

Steve received his approval from the Planning Commission so I started to finalize his permit, including the acknowledgement of the items stated for approval (such as no sides on the carport and the understanding that the city and the utility franchisees have first right to the right-of-way and he would have to remove his carport if work needed to be done or the city/franchise could, and other such language the removes any liabilities to the city etc.), then Steve asked to change the size and material type of the carport. In addition, he expressed dissatisfaction with the requirements for

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approval as stated above and wanted to be on the commission agenda. A copy of the approval letter is attached in the Admin Report for reference prior to the meeting.

12. Kayak Rental Services at Anthony Lake - Wiseley's

I will be updating the Commission on the activity since the Lake Board meeting, and I will be asking the Commission if you want to consider having the Wiseley's approach the Wayne Dennis Committee to pay for the building needed to hold the kayaks at Anthony Lake. This would be a city owned building and a lease would be executed to allow the Kayak rentals to operate there, much like our other amenities at the lake. I was going to try for a HCCF grant but I could not pull that off prior to the deadline and really cannot take on another grant.

13. Approve the KCC BIL - Preventing Outages and Enhancing the Resilience of the Electric Grid Agreement \$271,368.55 with Match Commitment Funded by Build Kansas in the Amount of \$131,161.45, Total Project Cost \$402,530

This is the grant agreement just released from KCC for our electric distribution projects. There is really a lot to this grant. It's going to be a large amount of work but in total it will save the city \$400K.

14. Community Solar Farm Discussion

We are close to presenting the SOA from KMEA on the evaluation of where to locate the community solar project but we have learned that the land around our 138 sub is going to auction and that is going to cause the need for a premature discussion for Larry and I to have guidance right away. More to come at the meeting.

15. **UNTABLE - Award Bid for Anthony Lake Town Trail Engineering Services

16. **UNTABLE - Approve the Application, Conveyance Agreement and Declaration of Covenants, Conditions, and Restrictions for Sunrise 2nd Addition - contingent upon review and approval from the City Attorney, then to file the Covenants and Restrictions with the Sunrise 2nd Plat.

17. 16" Valve Installation Update

Admin Report:

1. Lake Eco Development – The County Clerk, Assistant County Attorney, City Attorney, and I worked cooperatively to complete the requirements for posting notice of the special question on the upcoming election ballot. By the time you read this report, the notice will have posted in the newspaper and on the county website as required by statute. The city did NOT draft the notice to ensure fairness and impartiality to the information being presented for public vote. We verified the accuracy of the information and any information we had to provide to make sure the statutory requirements were met. I appreciated that we did not prepare the notice, again to make certain there was not even unintentional impartiality in the information presented. With the two publications of this notice, and the prior ordinance and notices completed, all legal requirements have been met for the decision of the sale of park land to be presented and voted on by the community. Update: I see there was also an article in the paper. The city did not draft that either. I know some

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of the information has been questioned and if you would like me to add this to an agenda discussion so you can discuss it as a commission please let me know.

2. Wrecked Deweze Slope Mower – There are two insurance claims concurrently processing with this mower: 1. Work Comp Claim 2. Property Damage Claim
The Property Claim is complete and has provided the following two options to the city:
 1. Keep the mower and repair it, insurance will pay \$9,438.84.
 2. Allow EMC to take possession of the mower, they will pay the city \$18,000.00We cannot determine which is the best direction to go until we can assess the mower for the level of damage and determine how salvageable it is and the cost to repair it versus a new mower. Further, we cannot make these determinations until the Work Comp Claim has finalized its determinations and until they do, the city is not permitted to touch the mower until their investigations are complete. Therefore, we cannot provide any further information on the mower until the work comp adjustor clears the city to have access to it. We are on hold.
3. CDBG Housing Grant – The first Bid Tour was held on September 30th. There were six contractors that attended the tour, and we hope we will be submitting bids. There was one local contractor present that still needs to complete their lead certification but has indicated they will do that and be able to bid. There is another local contractor that completed their lead certification, and I expected them to be at the tour, but they were not. We will see who ends up bidding. So far, we have had two applications denied (one was over income and one the scope of work was too high), four applications approved and in bidding, two additional applications finalizing their final steps to go to bidding, and one demo application awaiting approval. The demo cannot be approved until after we have completed the first three rehabs, so they are pending and getting closer.
4. Airport – The new beacon is complete, our Line Crew finished the electrical install, and Atlas Electric will be here this week to install the new AWOS. We are getting closer to completing this project!
Side Note: Jerry and his crew have really had to function more like contractors (with the Airport and Sunrise projects) than being able to fulfil our own maintenance needs on the distribution system. This is one of the things we have worked hard to avoid in the last few years by trying to put maintenance first in each department since it was lacking and so far behind. The shortage on the KDOT AWOS grant funding and the Sunrise project changed that this year for ED but please keep in mind next year and the year after we will need to reprioritize maintenance which could mean pushing off other projects until the maintenance is caught back up. I just wanted to share a thought of operational direction here. FYI
5. 16” Water Main – PHC Staff and I met with the KMU Rep assigned to us via the EPA Water Tech Program. As it turns out, if PHC is not eligible to apply for a state revolving loan fund via KDHE (which we are thinking they cannot since they are not a public water system) then even though they were approved for assistance through EPA, the assistance

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will not include engineering. Which is actually what they really needed. KMU is checking on this to determine if that is an accurate interpretation. Due to this, we are not sure what this will mean for PHC going forward. They are working internally on some other options for dialysis water storage, and I will continue to work on the city's funding access to secure engineering via the EPA source and the grant application through the HB2302 Water Office grant. We do not know what that will mean for a joint project on the engineering piece, but I will continue to include PHC in our efforts and if and where possible, we will try to include them in engineering if the city should be successful in securing some and if allowable by the funding source. To be determined.

We are still waiting for our SCADA technology rep Donnie to finish a large project he has been working on for the last several months and get us on his calendar to come down and hook up the pressure transducers. We are still waiting.

We are also waiting the shipment of the new valve for the 16" main to help keep the school and the hospital on. It had an 8-week lead time, so we are hoping by the end of October. In the interim we have gotten all the paperwork in order and scheduled the precon since this will be a sensitive installation. After the precon, I will provide the details of the installation which will include a scheduled water outage (after hours) at PHC and CHS.

6. Sunrise 2nd – I will have an agenda item to review the Restrictive Covenants and other documents that need approved again. I emailed them to you Monday so you can see the changes I worked into the Covenants. Please bring your comments as well. We are still waiting for the official approval on the grant extension. We are proceeding with bidding out the dirt work and lighting anyway as discussed previously.
7. KHITC – I met with Ross Vogel (Heartland Partners) to finalize the decision on the issuance of tax credits. Since we do not feel we had a definitive agreement with Don Klausmeyer requesting the full issuance on the first two investments, then transferring the credits to the city to manage and transfer as homes are built, and since we needed to get the decision and contract back to KHRC, we decided to proceed on a per house basis rather than all credits issued at once. This means, as we have builders and houses being built, once they hit the investment threshold, that builder will request the credit amount for that house (\$35K). The issue with this is that we have to have all the credits issued by December 2025 and that means we would have to have eight houses built by then to not lose the remaining credits. Due to this, we will continue to have conversations with Klausmeyer to see if we can come to a more definitive plan. If we can, I will come back to the Commission and let you know we have another avenue to make sure we do not lose the credits (and formally change documents with KHRC signaling the change as well). This is just something we will continue to work through but for now, I have submitted the required documents to KHRC and actually starting the monthly reporting requirements as well.
8. Street Sealing – Circle C Paving has completed the street sealing for this calendar year. They did a great job. Reminder that the rocks left behind need to stay for several weeks to

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finalize the process. When they are ready, our street department will start picking up the excess.

9. Municipal Hall – There have been some issues with Municipal Hall not being left clean for entities that get their fees waived. Some discussion has come up whether the City should still require a deposit even when the rental fees are being waived, just to make sure the building is being returned in the same condition. The deposits of course would then be returned to the renters on Monday morning. If the Commission would like to consider this let me know and I will add it to the agenda.
10. Qualified Inspector – I met with MABCD to determine if they would be able to contract with the city to provide inspection services. If you recall, even though I have not held the contractor meetings that we need to in order to make decisions there (which involves long-term inspection decisions) we still need an inspector for Sunrise and for the dangerous structure list that has been sitting and waiting pending evaluation from a qualified inspector. MABCD is not going to be an avenue to assist with this, so I am communicating with a company called IBTS that has been vetted by LKM and performs these services for Kansas communities that do not have adequate staff. I have reviewed the draft agreement and have a meeting with them this week to finalize potential service discussions. Please let me know if you have any reservations or issues proceeding in this direction. Otherwise, if it looks like this may be a potential service provider, I will place this on the next agenda and update you on the details of a potential contract.
11. Golf Course Bathroom – I met Brick at the course last week to determine the location to perform some soil evaluations in order to size a sewer system for the south side of the course. I will try to schedule the analysis next week so we can keep this going.
12. Solar Billing – As you recall, the Parallel Generation option did not work with our billing, so we have been having team meetings with staff and our software company to chart a course on how to hand generate the proper solar bills each month now that we have solar on our system. We do not have this finalized yet. In addition, the new meters were programmed incorrectly, and they are not recording the correct readings. Jerry is working to remedy that.
13. Staffing – All the vacant position ads are out, and we have held one interview for a Deputy City Clerk. An offer has been extended but not accepted yet.
14. Financial Review and Stewardship Effort – If you recall during budget time, I had presented the next annual objective to the Commission of focusing efforts to review all sources of revenues the city has budgeted to ensure that we are being diligent in these processes and collection efforts to ensure the existing revenue sources are accurate and collected as is required by law. Jamie is already initiating several efforts in this area. I previously reported that Transient Guest Taxes have been reviewed. We are now focused on collection of unpaid accounts (utility and court accounts) and proper submission of outstanding debts through the state set-off program. Staff efforts will be underway between

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now and December working toward a review of these accounts and those already submitted to set off, to hopefully have some of these registered prior to the start of the new tax season.

15. Lead Service Inventory – We had another meeting with JEO (the consulting firm hired by KDHE). Even though we are nearing the end of their assistance with entering the lead surveys into the KDHE spreadsheet for the October deadline, they have informed us that their services also include aiding the city in the preparation of the required plan and the replacement program. None of us know just yet what will be required in the replacement program. KDHE will be releasing guidance later. Reminder, we will not have our inventory completed and I have not had time as of the date of this report to investigate hiring a 3rd party to complete them. For now, we are focusing on getting as much city inventory of our own lines done prior to the deadline since we already know we will not make the deadline for the private services (surveys). This project will be with us for a while I believe before it is ever considered complete.