



City of Kingman

City Commission Minutes

February 22, 2024

Attendance:

Present: Mayor Wallace, Commissioners Winsor, Wollen, Harrel, and McFarland. City staff consisted of Manager Graffman, Clerk Bieghler, Attorney Smith, Chief Lux, Director Schrag, Foreman Thimesch, Director Goldston, Sexton Gruenke, Officer Milburn.

Call to Order: Mayor Wallace called the meeting to order at 7:00pm.

Approval of Agenda: The agenda was reviewed and considered.

- Motion made by Wollen, seconded by McFarland to approve the amended agenda with added items, 12-A: Executive Session and amended bills payable in the amount of \$594,952.07. Motion carried by unanimous vote.

Approval of Minutes (2/8/2024): The minutes for 2/8/2024 were reviewed and considered.

- Motion made by Wollen, seconded by Harrel to approve the minutes for 2/8/2024. Motion carried by unanimous vote with Harrel abstaining.

Approval of Bills Payable: The bills payable report was reviewed and considered.

- Motion made by Harrel, seconded by Winsor to approve the bills payable in the amount of \$594,952.07. Motion carried by unanimous vote.

Public Comment

- Chief Lux introduced the new police officer, Miles Milburn, to the city commission. Officer Milburn is an existing part-time city employee who has been part of the Kingman EMS Rescue team and is looking forward to further serving the city as a full-time police officer. Commissioners welcomed him.
- Dave Brittain, who is representing Scott Sparks, states that they are having an auction at Broadway and E Ave on April 13th. The auction will be large and is expected to have several attendees. Mr. Brittain and Mr. Sparks are concerned about parking as the street is narrow and parking is limited. Mr. Brittain asks the commission if they could use the empty lot owned by the city located at Broadway and 54 for parking if the weather permits and would not cause damage to the dirt lot. Mr. Brittain also states that they would take care of any dirt work that would need to be done following the auction to make necessary repairs if needed.
 - Motion made by Harrel, seconded by McFarland to allow Scott Sparks Auction to use the lot at Broadway and 54 for parking, weather permitting, on April 13th. Motion carried by unanimous vote.

Kingman Economic Enrichment Request (KEEP) – Bell Heating and Air: Director Schrag and Austin Bell presented an application for the KEEP program to help renovate Mr. Bell's new building located at 251 E D Ave for his new business. The request is for \$8,000 and Director Schrag reported that the business projects excellent job growth, a tax base increase, and hits all the goals of the KEEP project.

- Motion made by Harrel, seconded by McFarland to approve the \$8,000 KEEP request to Bell Heating and Air. Motion carried by unanimous vote.

Economic Development Update: Director Schrag reported that she is hosting the Western Kansas Regional Economic Alliance (wKREDA) on March 6th and 7th. 40-50 members are expected to attend who will get a firsthand look at Kingman and what the community has to offer. Axe throwing and a concert at the Kingman Historic Theater are just a couple of examples of what is planned for the group.

Ordinance 2124 – Cemetery Lot Fees: AN ORDINANCE AMENDING SECTION 12-204 RELATING TO THE APPORTIONMENT OF FEES RECEIVED FROM THE SALE OF BURIAL SPACE LOTS was read and considered.

- Motion made by Harrel, seconded by Winsor to adopt Ordinance 2124 as written. A vote was called with the following results:
 - AYE: Harrel, Wallace, McFarland, Wollen, Winsor
 - Nay: None
 - Motion declared carried and ordered signed by the mayor, attested by the city clerk, and to be published in the official newspaper.

Ordinance 2125 – Cemetery Permit Fees: AN ORDINANCE AMENDING SECTION 12-208 RELATING TO THE APPORTIONMENT OF THE PROCEEDS COLLECTED FROM BURIAL PERMITS was read and considered.

- Motion made by Harrel, seconded by Winsor to adopt Ordinance 2125 as written. A vote was called with the following results:
 - AYE: Harrel, Wallace, McFarland, Wollen, Winsor
 - Nay: None
 - Motion declared carried and ordered signed by the mayor, attested by the city clerk, and to be published in the official newspaper.

KPP Pace Solar Project: Brooke Carrol and James Ging of the Kansas Power Pool (KPP) presented information on their proposed solar project that they are proposing on city-owned land located on the east side of the airport. The full project, apart from easements, has been submitted to the USDA for grant approval. For the Kingman site, the required environmental, tribal, and archeological study is in progress. The Kingman site would host a two-megawatt solar array, which would produce approximately 4.9kwh per year (about 9% of Kingman’s total load in 2023), which would be integrated into the market.

Mr. Ging specifically spoke about the easement agreement that would need to be completed soon to move the project forward. Mr. Ging stated that KPP would maintain the land and reimburse the City if any work on the land or array needed to be completed by city staff, or they would contract a third party to conduct the work. KPP would also lay rock, mitigate weeds, and erect a perimeter fence around the project. Mr. Ging stated that the easement is perpetual, and if KPP terminates the project or decommissions the array in the future, they would remove equipment and fencing and make every attempt to return the land to its original state (except for removed trees).

The City Commission discussed the project and generally agreed that they would like feedback from residents who share the road supplying the easement.

- Motion made by Harrel, seconded by McFarland to table the easement agreement until the next scheduled meeting. Motion carried by unanimous vote.

Sales Tax Election: Attorney Smith presented information to the Commission regarding the upcoming sales tax election, including copies of passed ordinances and resolutions from 2014. Mr. Smith also proposed a timeline to consider for the election.

- Motion made by Winsor, seconded by Harrel to direct the city attorney to draft a resolution to hold an election for a 1% sales tax, which would distribute 82% to the general fund and 18% to economic development. Motion carried by unanimous vote.

Purchase Request – Catalyst Pads for the Power Plant Exhaust Stacks: Director Goldston presents three quotes for new catalyst pads. Goldston reports that according to the consultant, they have seen the off brands not fit properly and cause further problems. Therefore, Goldston recommends that the middle quote be approved, which would supply the DCL catalyst with DCL pads.

- Motion made by Harrel, seconded by McFarland to approve the purchase of the DCL catalyst pads in the amount of \$76,424.00. Motion carried by unanimous vote.

Purchase Request – Cemetery Dump Truck: Foreman Thimesch and Director Goldston is requesting the approval to purchase a new dump bed truck for the cemetery. Thimesch reported that the current truck, a 2005 Ford F350, is having severe transmission problems and will shift into reverse on its own, while driving or while idling in park. Thimesch reports that the safety issue became apparent when the mechanic was performing engine work that required the truck to be running, and while it was in park, it self-shifted into reverse. Due to the age of the truck and the cost of transmission replacement, Thimesch is asking to replace the truck. Thimesch, Goldston, and the city mechanic looked at a truck in Texas and placed a hold on it. Thimesch is asking to purchase a 2015 Ford F350 with a dump bed from the Texas Truck Stop in the amount of \$27,668.74, which includes the \$500 deposit already applied. Manager Graffman stated that the cost would come out of the Cemetery Capital Improvement fund. Thimesch stated that the dump bed from the current truck would be saved and recycled to another department.

- Motion made by Harrel, seconded by Winsor to approve the purchase of the 2015 Ford F350 dump bed truck from Texas Truck Stop in the amount of \$27,668.74. Motion carried by unanimous vote.

Purchase Request – Electric Utility Truck: Director Goldston is requesting permission to travel to Tennessee, along with the city mechanic and shop for a truck for the electric utility. They are wanting to purchase a truck from the same fleet surplus business that supplied the city with three trucks last year. The truck that they are looking for would have specialized equipment to help load the truck, so one person can load the truck without assistance. Currently, the electric utility truck sits high and always requires assistance in loading, which is at times difficult to get with other ongoing projects in the city. The current truck would be moved to the street department to replace a 1997 Ford F150 that has ongoing mechanical problems. Graffman stated that the cost would come from the Electric Surplus Fund.

- Motion made by Wollen, seconded by McFarland to authorize the city manager to approve the travel and purchase of a truck from Tennessee for an amount not to exceed \$40,000, which includes travel expenses. Motion carried by unanimous vote.

KDOT Cost Share Grant: Manager Graffman reported that there is an upcoming grant from KDOT that he would like to apply for, which would require a cost share commitment from the City. Graffman reported that he had considered the B Ave Culvert project for the grant, but KDOT indicated during a meeting that the project would not qualify. Graffman would like to try to replace the traffic lights at 54 and Main with the grant. He stated that the City had applied for the same grant before to replace the lights, but felt the

grant was not approved because the city match was too low. Graffman would like to re-apply for the grant with a match up to 50%. Graffman said that he would like to use ARPA funds to cover the match, which must be committed by the end of this year and expended by the end of 2026.

- Motion made by Harrel, seconded by Winsor to approve the City Manager to apply for the KDOT Cost Share grant to replace the traffic lights at 54 and Main using matching funds up to 50% from the ARPA fund.

Wilson & Company Report – B Ave Culvert Project: Jeff Holste from Wilson & Company presented a revised report on ZOOM, which included options for the culvert project to be replaced in phases. Alternative #5 from the report is a main topic of discussion, which completes the culvert in four phases for a total estimated cost of \$2,516,00.00.

- Motion made by Wollen, seconded by McFarland to move forward with alternative option #5 for the estimated cost of \$2,516,000.00 and for Manager Graffman to start exploring financing options for funding. Motion carried by unanimous vote.

EMS Discussion: Mayor Wallace and Vice Mayor McFarland reported on their ongoing negotiations with the County regarding EMS operations. The process is progressing and is positive. It is reported that the EMS formula last proposed by the City is on the table as well as the establishment of an EMS Advisory Committee, which would possibly meet a couple of times in the Spring and Summer to discuss the EMS budget, which would consist of elected and non-elected representatives from both the City and County. Commissioner Harrel voiced that he wanted it to be made clear that if the deal were to proceed with an advisory committee that the committee would have no decision-making authority. No action was taken.

Executive Session: An executive session for attorney-client privilege.

- Motion made by McFarland, seconded by Harrel for the commission to recess for ten minutes into executive session with the City Manager and the City Attorney for consultation regarding a matter which would be deemed privileged in the attorney-client relationship pursuant to the attorney-client privilege exception in K.S.A. 75-4319 (b) (2). Motion Carried by unanimous vote.
 - The Commission recessed at 9:35p and resumed at 9:45p with no action taken.

Administrative Report: Manager Graffman reported that he spoke to Prairieland Partners about their KDOT grant and was informed that KDOT approved the grant, but it was only for 50% of their project. The Eagle Acres apartment complex and the downtown building are progressing nicely.

Commission Comments: [WOLLEN] Sadie Street (formerly known as Memory Lane) lots have sat empty for too long and feels that the truck parking lot is not getting utilized and wonders what would make those two projects more viable. He also spoke of some other options for the KPP Solar Array Project. [McFARLAND] Asked Manager Graffman some questions about the Prairieland Partners project and the process of annexations. [WINSOR] Would like to have more public input on the KPP Solar Project. [WALLACE] Echoed the need for public input on the KPP project and had no other comments.

Adjourn: At 10:08pm

- Motion made by Harrel, seconded by McFarland to adjourn the meeting. Motion carried by unanimous vote.

BOARD OF COMMISSIONERS



Sean Wallace, Mayor



Zachary Bieghler, City Clerk