

LINDSBORG CITY COUNCIL
Lindsborg City Hall
March 18, 2024–6:30 p.m.
Meeting Minutes

COUNCILMEMBERS PRESENT: Mayor Clark Shultz, Corey Peterson, Rebecca Van Der Wege, Kirsten Bruce, Blaine Heble, Joshua Swanson, Tanner Corwin

MEMBERS ABSENT: Andrew Smith, John Presley

OTHERS PRESENT: Kristi Northcutt, Chris Lindholm, Milton Collins, Noah Flores, Lauren Doak, Chief Davis, Marcus Petty, David Hay, Lindsborg News Record Editor Scott Bontz, Mike Dreier

The meeting was called to order at 6:30 p.m. by Mayor Clark Shultz, followed by the pledge of allegiance.

PUBLIC INPUT:

There was no public input.

AMENDMENTS TO THE AGENDA:

There were no amendments to the agenda.

MAYOR'S REPORT:

Mayor Shultz paraphrased one of his favorite quotes from Emory Lindquist stating that Lindsborg is unique because the community has a lot shared spiritual and cultural values and that it really shows up at Easter time. He reminded everyone to take advantage of everything that will be going on, especially the Messiah Festival and the 126th annual Midwest Art Exhibit at the Sandzen Gallery.

The Smoky Valley Arts and Folklife Center is in the midst of its Lindsborg Collects annual event.

Mayor Shultz also highlighted opportunities at the Clara Hattan Center, the Red Barn Museum & Studio, and the Lindsborg Old Mill & Swedish Heritage Museum.

CONSENT AGENDA

Councilmember Kirsten Bruce moved to approve the minutes from the March 4, 2024, regular Council meeting, Payroll Ordinance 5474, and Purchase Order Ordinance 5475. Motion seconded by Councilmember Blaine Heble and passed 6-0 by roll call vote.

APPOINTMENTS:

KMEA Board of Directors

In accordance with Article V of Kansas Municipal Energy Agency (KMEA's) Bylaws, the Board of Directors shall consist of two Directors (Director-1 and Director-2) and an Alternate (*) for each Member City, to be selected by the governing bodies of the Members.

- Directors must reside within the territory served by the electric utility or work for the utility;
- Directors serve two-year terms. Alternates can serve any term specified by your governing body – some Members appoint their Alternate to serve the same term as Director-1 and/or Director-2; some Members appoint their Alternate to serve on a “Permanent” basis;
- Each Member is entitled to one Director vote – vote shall be cast on behalf of the Member by Director-1, if present; if Director-1 is not present, then by Director-2; Alternate is entitled to vote in

the event neither Director is present, unless the governing body specifically prohibits him/her from voting on the city's behalf;

- KMEA encourages the selection of an individual that has knowledge of the electric system;
- Directors should be able to attend Board of Directors meetings that are typically held in the spring and fall each year in Wichita, KS.

The current Directors are:

		Current Term Exp. Date	Recommended New Exp. Date
Director 1	Kristi Northcutt	4/30/2024	4/30/2026
Director 2	Chris Lindholm	4/30/2024	4/30/2026
Alternate	Clark Shultz	12/31/2023	12/31/2025

It is recommended that the current directors (noted above) be reappointed to another term; Directors 1 and 2 for a period of two years, and the Alternate for the length of his term as Mayor.

Councilmember Tanner Corwin moved to appoint City Administrator Kristi Northcutt and Public Works Director Chris Lindholm as Directors for the KMEA Board, serving on behalf of the City of Lindsborg, with terms expiring April 30, 2026, and Mayor Clark Shultz, serving through his mayoral term of December 31, 2025. Seconded by Councilmember Blaine Heble and passed 6-0 by voice vote.

COMMITTEE REPORTS:

There were no committee reports.

FIRST READING:

Mayor Shultz shared that a First Reading is an experimental concept to bring items before Council to make sure they are not rushed through; the item is introduced and discussed, but no action is taken. He stated that he is open to suggestions on how to best use that procedure. There are no First Readings for this meeting.

OLD BUSINESS:

Parks Curfew – Ordinance No. 5476

There is currently no curfew ordinance in city code that limits the time that one can be in any park. By creating a curfew ordinance and having it posted in the park, police officers can enforce a curfew hour. This would potentially deter people from entering the park late at night or early in the morning, the most common hours for problematic activities to occur. Having an enforceable curfew in city parks would benefit the community by promoting and maintaining peace and safety. Over the last two years (2/14/22-2/14/24), there were a total of 66 police callouts to Lindsborg city parks. Of those, 27 calls for service were directed to Riverside Park and 39 calls were directed to Swensson Park.

Other benefits of establishing a curfew include reduced tax cost on vandalism repair and reduced cost for added security measures. Last year alone, more than \$4,000 was spent on vandalism repair in just one of the park restrooms.

The proposed curfew hours are 12 a.m. to 6 a.m. The current penalty for minors violating curfew in the city is a \$50 fine plus court costs. Staff would recommend a similar penalty for violating the parks curfew.

If approved by City Council, new parks signs, including hours and rules, would be posted in all parks and the new ordinance would be communicated to the community. Council was provided with a draft of the proposed signage. The locations of the signs will be:

- One sign at Skate Park next to existing “Skate Park” sign on a post.
- One sign at Dog Park affixed to the chain link fence.
- One sign at St. Lucia Park on a post next to bathrooms.
- One sign at Carlson Park near the “Carlson Park” sign.
- Two signs at Swensson Park: one affixed to chain link fence at tennis court and one attached to bathroom building in front.
- Two signs at Riverside Park: one at the north trail entrance on a post and one near the small shelter on a post.
- One sign at Fredrickson Family Fitness Park in the east planting bed.

Councilmember Blaine Heble moved to amend City Code with Ordinance No. 5476 to establish a parks curfew between the hours of midnight and 6 a.m., as presented. Seconded by Council President Corey Peterson and passed with Councilmembers Blaine Heble, Tanner Corwin, and Corey Peterson voting aye, Councilmembers Rebecca Van Der Wege, Joshua Swansson, and Kirsten Bruce voting nay. Mayor Shultz voted aye casting the tie-breaking vote. Final roll call vote was 4-3 in favor of passing Ordinance No. 5476.

NEW BUSINESS:

Property and Casualty Renewal

The property and casualty insurance package for the City of Lindsborg runs annually from April 1 to March 31. The City brokers’ insurance services to not be tied to a specific company; the current insurance broker is Fuqua Insurance Group based in Lindsborg.

This year, staff was informed early on by Fuqua that the deductible was moving from \$2,500 per occurrence to \$75,000 per occurrence for wind and hail. This was not just for Lindsborg, but everyone with EMC insurance. Staff conferred with many cities across the state facing similar spikes and compared rates. Realizing the potential impact, Fuqua staff proactively looked for ways to mitigate this increase for the city. The solution determined to be the best is what is called a “deductible buy down.” The quote shows that the cost is \$6,518.28 to buy down the deductible from \$75,000 to \$10,000 per occurrence. With this increase in deductible, EMC lowered the overall premium. Because of this, overall, there is a 2% decrease in premiums.

Mike Dreier considered other options, but because the City receives a dividend check from EMC based on their profitability, it did not make sense for Lindsborg. The 2023 dividend to the City was \$19,628.57.

The options for insurance coverage of municipalities are limited, especially locally. However, staff did request a bid from Midwest Public Risk, based out of Missouri. They declined to bid at this time. Staff will send out an RFP for 2025 coverage later this year.

Note that workers compensation insurance is not part of this package; the City has a separate contract for workers comp through Kansas Municipal Insurance Trust (KMIT).

Councilmember Kirsten Bruce moved to approve the insurance renewal proposal from Fuqua Insurance Group in the annual amount of \$138,773.28. Seconded by Councilmember Tanner Corwin and passed 6-0 by roll call vote.

Renewable Energy Credits

The City has a purchase power agreement with Buckeye Wind Farm. Wind energy receives renewable energy certificates (RECs) which may be marketed. RECs represent the technology and environmental attributes of electricity generated from renewable sources and are usually sold in 1 megawatt-hour (MWh) units. A certificate can be sold separately from the underlying generic electricity with which it is associated. Once the REC is sold separately from the underlying electricity, the electricity is no longer considered renewable. Buckeye Wind RECs are created in the NAR Registry each month and assigned a unique identification number. The two main options for RECs are:

- **Sell**
 - Relinquishes environmental attributes.
 - If sold, RECs should be marketed in a timely manner.
 - RECs can be sold forward (i.e., sell all calendar year 2024 RECs).
- **Retire**
 - Retain the environmental attribute.
 - Allows the community to make a public claim about being ‘green’ or to satisfy a renewable energy portfolio goal.
 - Retired RECs can’t be sold or claimed later.
 - There are small volumetric fees assessed by the NAR when RECs are issued or retired (\$0.03/REC).

The table below shows estimated annual revenue if the city sells all RECs based on a 41.7% capacity factor for Buckeye Wind and a \$2.35/REC net sale price (market price fluctuates with supply and demand). This is based on based on the actual observed average capacity factor at Buckeye Wind over the last 36 months & estimated of the market price for RECs for 2024:

Buckeye Wind RECs			
	Contract Qty (MW)	Estimated Annual RECs @ 41.7% Capacity Factor (41.7% is the average monthly capacity factor over the last 36 months)	Estimated Annual REC Sale Revenue Assuming 41.7% Capacity Factor and \$2.35/REC Net Sale Price
Lindsborg	1.0	3,653	\$8,585

Councilmember Rebecca Van Der Wege moved to approve the Kansas Municipal Energy Agency to sell the vintage 2024 Renewable Energy Credits from the Buckeye Wind Farm for the benefit of the City of Lindsborg. Seconded by Councilmember Blaine Heble and passed 6-0 by roll call vote.

AMR Contract

At the May 17, 2021, City Council meeting, the City Council approved a multi-year contract with American Medical Response (AMR) for contracted emergency response medical services for the City of Lindsborg. As part of that contract, the City of Lindsborg agreed to pay a total cost of \$468,180 for the period covering January 1, 2024-December 31, 2024. This would be paid in four equal quarterly installments of \$117,045. The quarterly installment dates are as follows:

- March 31, 2024
- June 30, 2024
- September 30, 2024
- December 31, 2024

The quarterly installment amounts for fiscal year 2024 are listed on page 4 of the contract. A copy of page 4 of the contract covering the 2024 payment schedule was provided to Council with this report along with the invoice from AMR for 2024.

Councilmember Joshua Swanson moved to approve the annual payment of \$468,180 for 2024 to AMR for contracted emergency response medical services in four equal quarterly installments of \$117,045. Seconded by Councilmember Rebecca Van Der Wege and passed 6-0 by roll call vote.

Wastewater Treatment Plant Screen

Primary treatment is the removal of untreatable items in the “raw” or incoming wastewater stream. This process normally happens in two different processes. First, a mechanical screen removes items such as rags, plastics, wood, etc. utilizing a mechanical rake, stair-step screen, or a perforated spiral-type screen. The second process is grit removal; a grit chamber slows the flow of the wastewater and allows the smaller solid material to settle to the bottom of the chamber where it is pumped out. These items do not break down in the treatment process and will simply accumulate in basins if they are not removed.

The original screen at the Wastewater Treatment Plant (WWTP) was replaced in 2002 when it got to the point where it could no longer be repaired. The current screen was not replaced during the 2010 plant upgrade as it was only 8 years old and in good condition. However, after an additional 14 years, the screen has gotten to the point where it needs some major work. The very operation of these screens causes areas of wear and the conditions in which they operate and items they remove add to the problem of wear. Even with the required maintenance and replacement of wearing items, life is limited. On average, these screens last 15 to 25 years before replacement is required. The current screen is now 22 years old and the cost to repair and replace what is needed is almost the cost of a new screen.

Staff talked to manufacturers and requested quotes for a similar style of screen to replace the current screen. Two different companies returned quotes for a replacement screen. Headworks Inc. was the manufacturer of the current screen and still makes the same style of screen which would be an exact replacement. Parkson makes a shaftless spiral screen like the current Headworks screen. This screen, however, would require some additional mounting and electrical work that the Headworks screen would not. Additionally, staff have not been able to inspect a Parkson in operation or talk to operators to see how the unit is working and how it has held up over time.

- Headworks Inc. Spiralman SM400 \$53,558.00
- Parkson Helisieve Spiral Screen HLS400M35 \$52,948.00

Staff will be doing the installation of the unit and will not require any outside work to be contracted. The Headworks screen is very well constructed and has performed very well over the last 22 years; staff recommend replacing the screen with another Headworks screen.

Councilmember Tanner Corwin moved to approve the quote from Headworks Inc. for the purchase of a Spiralman SM 400 spiral screen for \$53,558.00. Seconded by Councilmember Joshua Swanson and passed 6-0 by roll call vote.

Electric Department Digger Truck

The digger truck used by the Electric Department is a 2005 Altec DM 45-TR mounted on a Freightliner Chassis and was purchased through Altec Nueco in February 2013. The digger truck is used to dig holes to replace poles, replace larger pole-mounted transformers, handle pad-mount transformers, and to perform numerous other tasks that arise. This truck plays an important role in the function of the department and the reliability of this truck is important.

Over the past several years, there has been an increasing number of mechanical issues. Most of these issues are related to the boom and extension mechanisms as well as the digger itself. There have also been some issues related to the engine and fuel injector pump. To this point, none of these issues have been considered major or extremely expensive, they have however been occurring on a more frequent basis. More than anything, these issues are happening because the truck is 19 years old and parts are just starting to wear out.

The replacement of the digger truck has been in the CIP budget for four years and has been moved out once. The truck is budgeted to be replaced this year and staff recommend moving forward. A new truck would cost more than \$250,000 and comes with a three-year lead time. The amount of money budgeted is for the purchase of a used truck, which will be about half the price of a new one. Currently, there is a fair number of used units in the Altec Nueco fleet, and there have been some trucks listed that have lower hours and appear to be in good shape.

Staff suggests that the City Council take the same approach as last year (with the bucket truck) and approve the full budgeted amount so that when a good truck is found, staff can react quickly to secure the unit and not lose it while waiting for a meeting/approval. This process works well in a market where good trucks do not stay available very long and the time to secure a truck is limited due to demand.

The old truck would be listed on Purple Wave when the replacement unit arrives. The City has been successful using this process over the last several years. Looking at some previous sales, it is estimated that the truck could sell for \$10,000 to \$20,000.

Councilmember Joshua Swanson moved to approve up to \$150,000.00 for the purchase of a pre-owned digger truck for the Electric Department. Seconded by Councilmember Tanner Corwin and passed 6-0 by roll call vote.

Notification of Nonprofit Events Promoting the Arts

A) Smoky Valley Arts and Folklife Center – Resolution No. 03-2024

The Smoky Valley Arts and Folklife Center submitted a “notification of non-profit organization event promoting the arts” application (ABC form 865) to be able to serve complimentary alcoholic liquor and cereal malt beverages at their 2024 event listed below.

4/28/2024	Reception for William Counter Exhibition	2-4 p.m.
5/5/2024	Reception for Sven Johnson Exhibition	2-4 p.m.
6/2/2024	Reception for Community Exhibition	2-4 p.m.
7/7/2024	Reception for Fiber Arts Exhibition	2-4 p.m.
	Reception for Handmade Furniture	
8/4/2024	Exhibition	2-4 p.m.
10/6/2024	Reception for The Slums exhibition	2-4 p.m.
11/3/2024	Reception for Holiday Gift Market Exhibition	2-4 p.m.
11/7/2024	Christmas Crafts and Cocktails	6-8 p.m.
11/14/2024	Christmas Crafts and Cocktails	6-8 p.m.
11/21/2024	Christmas Crafts and Cocktails	6-8 p.m.
12/5/2024	Christmas Crafts and Cocktails	6-8 p.m.
12/12/2024	Christmas Crafts and Cocktails	6-8 p.m.
12/19/2024	Christmas Crafts and Cocktails	6-8 p.m.

As a nonprofit, the Smoky Valley Arts and Folklife Center can sponsor an event promoting the arts and serve complimentary alcoholic liquor and cereal malt beverages to members of the public during the event if it is approved by the local governing body by ordinance or resolution and submitted to the Kansas Alcohol Beverage Control at least ten days prior to the event.

Councilmember Rebecca Van Der Wege to approve the Smoky Valley Arts and Folklife Center Notification of Nonprofit Organization Event Promoting the Arts form and pass Resolution No. 03-2024 authorizing the serving of complimentary alcoholic liquor or cereal malt beverage at their 2024 events as listed. Seconded by Councilmember Joshua Swanson and passed 6-0 by roll call vote.

B) Raymer Society for the Arts – Resolution No. 04-2024

The Raymer Society for the Arts submitted a “notification of non-profit organization event promoting the arts” application (ABC form 865) to be able to serve complimentary alcoholic liquor and cereal malt beverages at their 2024 events listed below.

4/5/2024	Reception for Jennifer Burkhead	5-7 p.m.
5/12/2024	Cinco de Mayo Members event	5-8 p.m.
6/23/2024	Reception for Karla Prickett	2-7 p.m.
11/2/2024	Wine & Cheese Fundraiser	5-7 p.m.
12/7/2024	Christmas Artist Studio Open House	10 a.m.- 5 p.m.

As a nonprofit, the Raymer Society for the Arts can sponsor an event promoting the arts and serve complimentary alcoholic liquor and cereal malt beverages to members of the public during the event if it is approved by the local governing body by ordinance or resolution and submitted to the Kansas Alcohol Beverage Control at least ten days prior to the event.

Councilmember Blaine Heble moved to approve the Raymer Society for the Arts Notification of Nonprofit Organization Event Promoting the Arts form and pass Resolution No. 04-2024 authorizing the serving of complimentary alcoholic liquor or cereal malt beverage at their 2024 events as listed. Seconded by Councilmember Kirsten Bruce and passed 6-0 by roll call vote.

ADJOURNMENT:

Councilmember Kirsten Bruce moved for adjournment, seconded by Councilmember Joshua Swanson, and passed 6-0 by voice vote. The meeting was adjourned at 7:36 p.m.

Respectfully Submitted,
Roxie Sjogren, CMC
City Clerk