

City of Pomona
Regular City Council Minutes
Monday, December 7, 2020
7:00 p.m., City Hall

Attendance: Mayor Seneca **Council members:** Joe Zamora, Kim Giffin, Rick Smith, Dotson Bradbury, Richard Adler

Others in Attendance: Maiyee Lor, Tanner Nitcher, Bruce Boettcher

Meeting to order

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.

Amend Agenda

Mayor Seneca proposed an amendment to the agenda: adding Gilmore and Bell under first item of business, second will be Tanner Nitcher and Raymond Love, and at the end of north doors solution, adding resignation of water board and appointment of water board, removing electric rates review, remove water rates review and sewer rates review. Add in addition: format of the agenda at the end and transferring money from the electric fund to general fund.

Council Member Bradbury motion to approve. Seconded by Council Member Adler. The vote carried 5/0.

Consent Agenda

- Review Utility Accounts 30+ Days Delinquent
- Review Employee Vacation, Discretionary, and Comp Time Accruals
- Minutes of Previous Meetings
 - November 2, 2020
 - November 18, 2020
- Financial Reports/Action on bills
 - Current bills and prepaid bills

Council Member Smith motion to approve the consent agenda. Seconded by Council Member Adler. The vote carried 5/0.

Items of Business to Discuss and Consider Action:

Gilmore and Bell

Kevin [Cowan], bond counsel representative from Gilmore and Bell. Mr. Cowan explained the KDHE loan and that USDA would provide the permanent loan, a bond is need to be issued. Last month, Austin Masters reached out, about issuing bond and completion. Interest rate really low right now and can close before January 1st. Mr. Cowan wants to push forward with rate at 1.75%.

Mr. Cowan educated the council on the loan and bond issue. He also talked about waiting on direction from Mr. Masters and William Karr. Mr. Cowan explained the Attorney General have to review bond, it is state law. Mr. Cowan explained the standard operation for KDHE and options. Next formal action is an ordinance and a resolution to be authorize under state law. The

resolution is longer with detail: interest rate and payment term, issue of bonds on 23rd on month, and closing date will be establish for annual payment date in the next 40 years. Closing on December 23rd, \$2,985,000 bond proceed, bond cost \$14,000 and the rest to be pay off of the KDHE loan. KDHE need to confirm prepayment, so can draw some more. Council confirm the two actions needed: to adopt an ordinance and pass resolution provided to the Mayor.

Council Member Bradbury approve the adoption of Ordinance No. 621 as provided by bond counsel. Seconded by Council Member Adler. The vote carried 5/0.

Council Member Bradbury make a motion to pass resolution 2020-06 as provided by bond counsel. Seconded by Council Member Adler. The vote carried 5/0.

Council Member Smith motion that the council authorize the Mayor to work with the bonding agent as far as it concerns the amount that we need to pay down on the loan. Seconded by Council Member Bradbury. The vote carried 5/0.

Tanner Nitcher

Mayor Seneca apologized to Mr. Nitcher for no quorums with planning commission so presenting it to the governing body. In the past, planning commission makes recommendation with Dan Dillard, code enforcement officer, and brought to the governing body. Mr. Nitcher is asking for a variance and in absence of the form, for Raymond Love as well.

Mr. Nitcher own 133 Tyler Street, it is a ½ acre lot. It has a house with garage, two structures in the back yard. He wants to do a lot spilt and turn the newer structure into living residence. Dan looked it over and blessed it to planning commission. Mr. Nitcher talked to Kevin Prouty, primary contractor, to help with process. The structure in good shape. He also spoke with Dean [Wineinger]. The first lot is ½ acre: is a house, plus 30x40 shop and another 30x40. Both 30x40 on one property. The space between the house is approximately 50 feet. Council Member Giffin explained there should be lot number there, so survey it.

Mr. Nitcher is asking the council to bless the lot split and to move forward potential into a residence. There is electrical, no sewage or water. 3 bedroom and 2 bath is the plan. Council and Mr. Nitcher in discussion about the structures and where it is.

Council Member Smith motion to approve variance for lot split. Seconded by Council Member Bradbury. The vote carried 5/0.

Raymond Love is in the same predicament like Mr. Nitcher. He wants to build homes and needs a lot spilt. Council Member Smith motion to approve variance for lot split. Seconded by Council Member Bradbury. The vote carried 5/0.

Sewer Project update: BG Consultants

Bruce Boettcher is giving a quick update on CCTV and options on finance. Ed Kampbell, third party engineer, have reviewed it. BG received report this morning. Mr. Boettcher plan to attend January 4th to provide an update. Contractor is asking to come on December 18th to clean up

freed, from blisters, interior lining. Mr. Boettcher does not want pre-authorization, may ask for another council meeting.

Council wants to know what Mr. Kampbell said. Overall it is good system. There are some clean ups: some pin holes leaking, recommendation on lining, brushing it off and knock off edges. Non-structure, wear away overtime. It just happens to blister in certain area.

Council Member Smith suggested that until they get recommendation from 3rd party, do not move forward. Council Member Bradbury agree.

Mr. Boettcher explained the finance discussion, and there will be a balance when due. The entire project amount is short by \$63,000. Mr. Boettcher explained the options and concerns with closing the loan early. The city was at 2.75% and the new interest rate will save \$20,000 a year for 40 years, so it is \$800,000 in total savings.

Mr. Boettcher discussed the options to long term loan finance, KDHE loan is 20 years and USDA loan options, 40 years. USDA is lock in and will not amend or add money to it. City can do a USDA loan with the remaining but it got to be separate or with KDHE. Mr. Boettcher suggest that if the cash is available, paid it off, if not KDHE loan is reasonably. Options may impact the sewer rates. Council Member Smith suggest to transfer money from electric fund to general fund and pay it off when due. Once the council know the amount, they discussed to pay it off.

Council in discussion with Mr. Boettcher about coming back to discuss Mr. Kampbell's report in a few weeks.

Franklin County Sheriff Contract

The last contract was for \$63,604. Council Member Bradbury approved the contracted amount of \$65,512. Seconded by Council Member Adler. The vote carried 5/0.

McKinley Lodge

Council Member Smith denied all the request. Seconded by Council Member Bradbury. The vote carried 5/0.

Resolution No. 2020-05: Personnel policy Updates

Council Member Bradbury made motion to approve Resolution No. 2020-05. Seconded by Council Member Adler. The vote carried 5/0.

Cemetery Software

Council Member Bradbury made a motioned to approved software purchase including labor cost around \$11,224. Seconded by Council Member Adler. The vote carried 5/0.

North Doors: Community Building

Council Member Bradbury made a motion to approve the bid for the north doors, and to have new hardware, and in addition the ADA on the front door be repair. Seconded by Council Member Adler. The vote carried 5/0.

Resignation of Water Board Representative

Resignation of the water board representative. Council Member Bradbury explained it was privilege to serve with the council and wish the city nothing but success. Council Member Adler accepts the resignation of Council Member Bradbury. Seconded by Council Member Smith. The vote carried 5/0.

Appointment of Water Board Representative

Appointment of Council Member Adler to fill the position. It is a paid position by the water board \$50 a month and plus get mileage. Board meeting is in Melvern. Council Member Adler wanted to think on it and will get back with Mayor Seneca.

Formatting the Agenda

Council Member Smith wants the agenda to look more like the school board agenda: item for discussion and actions items, so will know what’s exactly. Mayor Seneca explained that it is good idea and used to have it but it created issues. Council Member Bradbury suggest to start off with it and see how it goes. Mayor Seneca will change the format like recommended. If need to amend the agenda, can move it down, and do it that way.

Council Member Smith expressed concern on 318 Truman. If it is condemnable, it needs to be condemned. Council Member Smith motion that the inspector moved forward with 318 Truman and have resolution in the next 30 days and that he move forward with the previous discussed condemnation within the next 30 days. Seconded by Council Member Bradbury. The vote carried 5/0. 0

Electric Fund Transfers

Council Member Smith approve the transfer of \$169,427.73 from electric fund to general fund. Seconded by Council Member Bradbury. The vote carried 5/0.

Executive Session

Council Member Bradbury moved for the Discussion of Employee Personnel Matters of Non-Elected Personnel, Pursuant K.S.A. 75-4319(b)(1) for a Period of 10 Minutes with the Open Meeting to Resume in the Community Building of City Hall. Seconded by Council Member Adler. The vote carried 5/0.

The City Council entered into Executive Session at 8:03 p.m.
The City Council exited Executive Session at 8:13 p.m.

Meeting Adjourn

Council member Bradbury moved to adjourn. This was seconded by Council member Giffin. The vote carried 5/0. Meeting adjourned at 8:14 pm. **ML**



Mayor Seneca