Regular Council - May 08 2024 Agenda

Wednesday, May 8, 2024 at 6:30 PM

Council Chambers

1. PLEDGE OF ALLEGIANCE AND INVOCATION

2. CALL TO ORDER

3. ROLL CALL

4. AMENDMENTS TO THE AGENDA

5. CONSENT AGENDA

5.1 Adoption of Minutes

Regular Council - at 6_30 PM (5).pdf

5.2 Sheriff Calls

April Calls For Service.pdf

5.3 Financials

Monthly Finance 2024.pdf

Visa Breakdown 3-2024.pdf

6. CITIZEN'S FORUM

7. SPEAKER'S FORUM

8. OLD BUSINESS

8.1 Street Project- Map attached

street project.pdf

8.2 AMI System- Ordinance

KDHE Water Loan Ordinance (002).pdf

9. NEW BUSINESS

9.1 Helen Danler- Community Development Plan

9.2 Keith Russell- Write-off

9.3 Mayor's Appointments-2024

Mayor Appointments 2024.pdf

9.4 Road Closures

SKM_C360i24050707290.pdf

5th and 6th street adjacent to the park between Walnut and Willow on May 18th from 9:00am to 2:30 pm.

9.5 Audit Clean-up
Needing to approve Monthly Finance

Audit Clean up- October.pdf

Audit clean up May.pdf

UPDATED DEC 2023 MINUTES.pdf

9.6 HVAC Discussion

10. CITY COUNCIL COMMENTS

11. MAYOR'S COMMENTS

12. STAFF COMMENTS

Public Works Update

Public Works Notes April 2024.docx

13. EXECUTIVE SESSION

14. ADJOURNMENT

Draft

Regular Council - Apr 10 2024 Minutes

Wednesday, April 10, 2024 at 6:30 PM

Council Chambers

Page

1. PLEDGE OF ALLEGIANCE AND INVOCATION

2. CALL TO ORDER

The Regular City Council Meeting was called to order at 6:30pm by Mayor, Mike Shirley.

3. ROLL CALL

The regular meeting of the Douglass City Council was called to Order at 6:30 p.m. by Mike Shirley Roll Call was taken. Council members present were Jay Sanderson, Bill Akers, , Ken Phillips, Kandyce Gunther and Mark Roberts.

Administration and staff present were Mike Powell, City Administrator/Clerk, Brittany Nordstedt, Assistance City Clerk and

4. AMENDMENTS TO THE AGENDA

5. CONSENT AGENDA

There was a motion to accept the consent agenda.
Motion prevails 5-0

Moved by: Kandyce Gunther
Seconded by: Jay Sanderson

5.1 Adoption of Minutes 6 - 9

Regular Council - Mar 13 2024 - Minutes - Html

5.2 Sheriff Calls 10 - 11

Copy of March Calls For Service.pdf

5.3 Financials 12 - 14

Monthly Finance 2024.pdf

6. CITIZEN'S FORUM

7. SPEAKER'S FORUM

Superintendent- Rob Reynolds

8. OLD BUSINESS

Concrete Approach

-Update

There was discussion about the project.
Councilmember Akers made a motion to approve M&T Construction for the concrete approach at the City Shop. The motion was seconded by Councilmember Jay Sanderson.
Motion prevails 4-0 Mark Roberts recussed himself from voting.

Remodel
- Costs

Office Remodel Breakdown.pdf

Staff reviewed the quotes with council and went over the process.

There was a motion made by Councilmember Roberts to approve the remodel for the City Office based on quotes and plans provided.

Councilmember Gunther seconded the motion.

Motion prevails 5-0

Truck Purchase

-Update

Mike Powell and Mike Gowlovech both reviewed the quotes with Council Members.

There was a motion to approve the lease agreement with RCB Bank for the purchase of the 2024 GMC 3500 HD, Crew Cab, 4W Pick up from Donovan Auto and Truck Center, as well as the snow plow package from Midwest

Truck Equipment by Councilmember Mark Roberts, a second by Councilmember Gunther.

Motion prevails 5-0.

Pool Passes-
- PTO
-Library Kick-off Party

There was a motion by Councilmember Sanderson to approve the Family pool passes for the PTO teacher raffle and the library kick-off party.
There was a second motion by Councilmember Gunther.
Motion prevails 5-0

9. NEW BUSINESS

GAAP Resolution

-Resolution 02-2024

Resolution 02-2024 to Waive GAAP Requirement.pdf

There was a motion by Councilmember Sanderson to approve the GAAP Waiver for the audit year of 2024. There was a second by Councilmember Roberts.

Motion prevails 5-0

Preliminary Street Project

-Discussion

Topic was tabled until a special meeting is scheduled.

Road Closures

-Library Kick off Party (May 23rd)

There was a motion made by Councilmember Sanderson to approve appropriate road closures for the Library Kick-off party.

The motion was seconded by Councilmember Gunther.
Motion prevails 5-0

Farmers Market

There was a motion by Councilmember Gunther to approve the farmers market at Roadside park for a seasonal period of time from 10-2.
The motion was seconded by Councilmember Akers.

Motion prevails 5-0.

Appoint Mike Gowlovech Assistant Zoning Administrator

There was a motion by Councilmember Roberts to approve Mayor Shirley's appointment of Mike Gowlovech for Zoning administrator.
There was a second by Councilmember Sanderson.
Motion prevails 5-0

Trash Increase

-Resolution 01-2024

There was motion by Councilmember Akers to approve the Resolution 01-24 for an increase in trash rates.

There was a second by Councilmember Phillips.

Motion prevails 5-0

Downtown trees-
There was a motion by Councilmember Roberts to start removing trees from downtown.

There was a second by Councilmember Akers.

Motion prevails 5-0.

10. CITY COUNCIL COMMENTS

11. MAYOR'S COMMENTS

12. STAFF REPORTS

Public Works Notes March 2024.docx

13. EXECUTIVE SESSION

(1) Personnel matter of nonelected personnel

There was a motion for an executive session starting at 8:31 for 20 minutes, including Councilmembers, Richard, Mike Gowlovech, and Mike Powell.

Moved by: Jay Sanderson
Seconded by: Mark Roberts

Motion Prevails 5-0

The Council came back to extend the executive session for 10 minutes.

8:52-9:02

Moved by: Ken Phillips
Seconded by: Jay Sanderson

Motion prevails 5-0

Council came out of executive session at 9:02 and resumed regular meeting.

14. ADJOURNMENT

There was a motion to adjourn the meeting at 9:02

Moved by: Kandyce Gunther
Seconded by: Jay Sanderson

Motion prevails 5-0

_____
CAO

_____
Mayor

Draft

April, 2024 Douglass Calls For Service

Date	Call Type	Location	Arrest	Officer
4/2/2024	Miscellaneous	600 blk S Forest St	HBO	Parker
4/2/2024	Suspicious Vehicle	S Riverview St/ W 1st ST	HBO	Rider
4/3/2024	Suspicious Person	E 1st St / N HHWY 77	HBO	SRO
4/4/2024	Suicide/ Threats	600 blk S Taylor St	HBO	District
4/5/2024	Traffic Hazard	E 1st St / N Poplar St	HBO	Parker
4/5/2024	Civil Stand By	400 blk S Maple St	HBO	Parker
4/5/2024	Fraud/ Forgery	600 blk S Pecan St	Report	Parker
4/5/2024	Traffic Stop	100 blk S HWY 77	Citation	Rider
4/5/2024	Traffic Stop	E 1st St / N Poplart St	Citation	District
4/5/2024	Traffic Stop	E 1st St/ N Chestnut St	Warning	District
4/6/2024	Traffic Stop	W 1st St/ S Riverview St	Warning	Rider
4/6/2024	Traffic Stop	W 1st St/ S Riverview St	Warning	Rider
4/7/2024	Assist Other	1200 blk E 7th St	HBO	Parker
4/7/2024	Animal at Large/ Domestic	1100 blk E 6th ST	HBO	Rider
4/8/2024	Traffic Stop	E 1st St / N Maple St	Warning	District
4/8/2024	Suspicious Person	400 blk E 3rd St	HBO	District
4/8/2024	Civil Stand By	1000 blk E 6th St	HBO	District
4/8/2024	Check Welfare	200 blk N Pecan St	HBO	District
4/10/2024	Miscellaneous	1100 blk E 6th ST	HBO	Rider
4/10/2024	Suspicious Vehicle	E 5th St / S Willow St	HBO	Rider
4/11/2024	Traffic Stop	E 1st St / S Maple St	Warning	Rider
4/11/2024	Theft	500 blk s Forest ST	Report	Rider
4/14/2024	Miscellaneous	400 blk S Riverview St	HBO	District
4/15/2024	Accident/ 10-47	100 blk S HWY 77	Accident	District
4/15/2024	Suspicious Activity	E 4th St / S Forest ST	HBO	SRO
4/15/2024	Miscellaneous	500 blk S Forest St	Report	Rider
4/15/2024	Assist Other	600 blk E 8th St	HBO	Rider
4/16/2024	Suspicious Activity	100 blk W 4th St	HBO	Rider
4/16/2024	Miscellaneous	500 blk S Forest St	HBO	Rider
4/16/2024	Assist Other	400 blk S Maple St	HBO	Rider
4/17/2024	Traffic Stop	E 3rd St / S Forest St	Warning	Rider
4/17/2024	Fraud/ Forgery	1100 blk E 5th St	Report	District
4/19/2024	Miscellaneous	600 blk S Maple St	HBO	Rider
4/19/2024	Arrest/ Traffic	S HWY 77 / E 3rd ST	Arrest	District
4/19/2024	Suspicious Vehicle	300 blk E 5th St	HBO	Rider
4/20/2024	Miscellaneous	E 3rd St / S Forest St	HBO	Rider
4/21/2024	Check Welfare	E 3rd St / S Forest St	HBO	Rider
4/22/2024	CINC	900 blk E 1st St	Report	SRO
4/22/2024	Miscellaneous	100 blk S HWY 77	HBO	District
4/23/2024	Found Property	100 blk E 3rd St	HBO	District
4/23/2024	Fraud/ Forgery	400 blk S Forest St	Report	District
4/25/2024	Missing Juvenile	300 blk S Chestnut	HBO	District
4/26/2024	Found Property	200 blk E 3rd St	HBO	Rider
4/26/2024	Motorist Assist	E Sunset Dr / N HWY 77	HBO	Rider

4/28/2024	Green Tag	500 blk N HWY 77	HBO	District
4/28/2024	Motorist Assist	W 1st St/ S Riverview St	HBO	Rider
4/28/2024	Traffic Stop	E 1st St / S School ST	Warning	Rider
4/28/2024	Traffic Stop	W 1st St / S Riverview St	Warning	Rider
4/28/2024	Traffic Stop	W 1st St/ S Riverview St	Warning	Rider
4/29/2024	Traffic Stop	S School St / E 1st St	Warning	Rider
4/29/2024	Suspicious Vehicle	900 blk E 1st St	HBO	Rider
4/30/2024	Suspicious Activity	100 blkn N Maple St	HBO	Parker
4/30/2024	Suspicious Activity	500 blk N HWY 77	HBO	District
4/30/2024	Suspicious Activity	500 blk N HWY 77	HBO	District

Call Breakdown by Deputy

	Rider	Open	Parker	SRO	District
Total Calls For Service	27	0	6	3	18
Calls Handled by Officer	16	0	5	3	11
Accident Reports	0	0	0	0	1
Criminal Reports	2	0	1	1	2
Business Checks (BC)		0	0	0	0
Traffic Citations	1	0	0	0	1
Traffic Warnings	8	0	0	0	2
Arrests	0	0	0	0	1

	Expenses		
Check #	Recipient	Description	Amount
38623	Quill	Office Supplies	$ 91.08
38624	Southwest Butler Quarry	Rock Library	$ 74.43
38625	Waste Connections	Trash	$ 14,291.35
38626	Evergy	Electric	$ 52.10
38627	Vision Care Direct	Insurance	$ 215.76
38628	RWD #6	Water	$ 5,676.61
38629	Young & Assoc	AT&T Review	$ 392.50
38630	Advantage Computer	Jayhawk	$ 157.50
38631	Image Quest	Old Copier Copies	$ 21.25
38632	Galaxie	Paper	$ 51.10
38633	Hub International	Insurance (reissued)	$ 250.00
38634	Evergy	Electric (reissued)	$ 2,075.28
38635	D&S Auto Supply	Shop Supplies (reissued)	$ 588.81
38636	Advantage Computer	IT Support (reissued)	$ 210.00
38637	Solvaris Net LLC	TextCaster	$ 100.02
38638	EMC Insurance	Insurance	$ 8,053.45
38639	KS One Call Systems	Locates	$ 21.60
38640	William Muret	Legal	$ 600.00
38641	Eric Triplett	Office Remodel	$ 4,000.00
38642	Evergy	Electric	$ 1,977.46
38643	Terminix	Pest Control	$ 141.00
38644	Valley Feed & Seed	Seed	$ 1,346.89
38645	Cooper Law Office	Legal	$ 1,000.00
38646	KS Rural Water Assoc	KRWA Conference	$ 540.00
38647	Visa	Credit Card	$ 3,612.09
38648	River Valley Supply	Shop Supplies	$ 482.09
38649	Gibson, Watson, Marino, LLS	Legal	$ 846.16
38650	Galaxie	Chairs	$ 2,186.92
38651	KDOR Misc Tax	1st Quarter Water Fees	$ 439.93
38652	Lease Finance Partners	Copiers	$ 641.90
38653	Mike Frakes	Fill Dirt	$ 350.00
38654	BCBSKS	Insurance	$ 12,501.59
38655	UV&S	Shredding	$ 25.00
38656	M&T Construction	Concrete	$ 7,000.00
38657	Mike Powell	Mileage	$ 91.79
38658	Brittany Nordstedt	Mileage	$ 91.79
38659	Mike Shirlay	Mileage	$ 170.18
38660	Jay Sanderson	Mileage	$ 91.79
38661	Kandyce Gunther	Mileage	$ 97.79
38662	Uline	Office Remodel	$ 550.00
38663	Advance Insurance	Insurance	$ 604.93
38665	Cox Business	Shop Internet	$ 138.00
38664	Cox Business	Office Phone & Internet	$ 845.24
38666	Capital One - Northern Tool	Yearly Fees	$ 39.99

38667	Lowe's Business	Shop Tools	$ 390.65
38668	Leslie's Pool Supplies	Pool Supplies	$ 415.08
38669	D Gerber Commerical Pool	Pool Supplies	$ 6,371.77
38670	Royal Publishing	Advertising	$ 170.00
38671	MCCi LLC	GovBuilt	$ 4,375.82
38672	River Valley Supply	Shop Supplies	$ 316.76
38673	Solvaris Net LLC	TextCaster	$ 100.04
38674	Wichita WinSupply	Water Supplies	$ 215.32
38675	D&S Auto Supply	Shop Supplies	$ 521.82
38676	Vision Care Direct	Insurance	$ 215.76
38677	Lan Flippo	Office Cleaning	$ 200.00
38678	Maximum Outdoor Equipment	Shop Supplies	$ 1,507.85
38679	Hub International	Insurance	$ 250.00
38680	KS Gas Service	Gas	$ 360.33
38681	Evergy	Electric	$ 2,108.25
38682	Liberty National	Insurance	$ 330.64
38683	AFLAC	Insurance	$ 54.72
38684	Law Office of Amber M Brehm	Garnishment	$ 531.23
		ACH	$ 22,643.30
		payroll 4/17/24	$ 13,463.28
		payroll 5/3/2024	$ 13,222.63

Revenue		
Water	$	42,268.38
Trash	$	16,441.80
Sewer	$	28,216.20
Total	$	86,926.38
Statement Date	4/1/2024 - 4/30/2024	
Prev. Balance	$	1,631,399.54
Deposits/Credits	$	306,500.02
Checks/Debits	$	341,462.71
Interest Paid	$	2,025.87
Current Balance	$	1,598,462.72

Vender	Cost	Description
Chewy's	$50.04	Xena dog food
Hilton Garden Inn	$163.25	KRWA refunded April 14
Adobe	$21.69	Office Software
Amazon	$33.18	Office coffee
ks.gov payment	$20.00	Background check
USPS	$22.16	Water Samples
Amazon	$153.02	Office supplied paper
Austin Hose supply	$45.18	Fitting for Kubota UTV
Atwoods	$28.56	Shop supplies
Tractor Supply	$37.26	Shop supplies, steel rakes
Wal-mart	$18.58	Office supplies
Amazon	$31.60	Office supplies - paper towels
Amazon	$99.95	Office supplies- TP,card holder, manila folders
Amazon	$138.20	Cameras for water meters
USPS	$1.87	Water Bills
USPS	$9.60	Water Samples
Wal-mart	$48.88	Shop supplies - water, cleaning supplies
Intuit	$76.00	Quick books time clock
BWW	$136.29	Monthly safety meeting, team building lunch
Amazon	$106.18	Office supplies copier ink, shop cutting tips
USPS	$106.00	Late water bills
Vista Print	$63.99	Business cards Mike G.
ks.gov payment	$190.00	Pool food license
USPS	$17.46	Water Samples
Clerks conf.	$106.96	Food
Atwoods	$34.95	Shop supplies, welding gloves and misc.
Hilton Garden Inn	$918.36	Clerks conf. Manhattan
G N G Properties	$1.50	Ice
G N G Properties	$1.50	Ice
Adobe	$27.66	Office Software
Century II Parking	$30.00	KRWA conference parking
KRWA Lunches	$68.22	KRWA lunches
Amazon	$173.59	Coffee maker council room
Candlewood Suites	$191.58	KRWA

SOUTH CENTRAL SEALING & PAVING
PAVEMENT MAINTENANCE

Proposal

3600 West Esthner
Wichita Kansas 67213
(316) 613-3433 Fax (316) 613-3499

Date: Tuesday, May 07, 2024
Project: City of Douglass
Location: Various

Submitted To:
City of Douglass
Attn: Mike Powell
224 S. Poplar
Douglass, Kansas 67039

City of Douglass proposal 2024

We propose to furnish labor, material, and equipment to construct an emulsified asphalt quick set slurry seal on city streets per below.

	Streets	Location	Length
1.	*Willow	Oak to Pine	1,013 sqyds.
2.	*Chestnut	1st to 2nd	945 sqyds.
3.	Chestnut	2nd to 3rd	805 sqyds.
4.	4th Street	Maple to Forrest	1,550 sqyds.
5.	4th Street	Forest to Alley	800 sqyds.
6.	4th Street	Alley to Walnut	533 sqyds.
7.	*7th Street	Taylor to Forrest	1,854 sqyds.
8.	*7th Street	Forest to Willow	2,025 sqyds.
9.	Maple	6th to 8th	1,458 sqyds.
10.	*Maple	8th to 10th	1,825 sqyds.
11.	Walnut	8th to 7th	595 sqyds.
12.	*Walnut	7th to 6th	890 sqyds.
13.	9th Street	Maple to Forrest	839 sqyds.
14.	Poplar	6th to 8th	1,470 sqyds.
15.	*7th Street	HWY 77 to Deambra	3,778 sqyds.
16.	6th Street	HWY 7 to Chanelle	1,217 sqyds.
17.	7th Street and Walnut		80 sqyds – skin patching
18.	North side of Oak St. between Walnut/Willow		86 sqyds – skin patching
		Total sqyds.=	21,763 sqyds.

Total cost for Slurry Seal – 21,763 sqyds @ 3.12 per sqyd. = $67,900.56 tax exempt.

Above Slurry price includes the following.

1. Furnish Traffic Control
2. Sweep and clean streets.
3. Cover manholes and water valves

Slurry Seal to be applied at the following rates.

1. CSS-1H asphalt emulsion .35 gal per sqyd
2. Type II chat 20 Lbs. per sqyd

Notes:

1. (*) Streets we recommend be strip patched before final coat of slurry seal to stabilize the base.
2. (**) We recommend be double sealed to stabilize the base.

Asphalt Repair (3" depth repair)
We will remove areas in asphalt pavement 3-inch depth, compact subgrade, and place 3" hot mixed asphalt in one lift. Hot mixed asphalt to meet City of Wichita specifications. Approximately 173 sqyds. (1,557 sqft.)
Bid Price for Asphalt Repair.....$7,698.50 tax exempt.

Asphalt Repair (5" depth repair)
We will remove areas in asphalt pavement full depth, compact subgrade, and place 5" hot mixed asphalt in two lifts. Hot mixed asphalt to meet City of Wichita specifications. Approximately 247 sqyds. (2,223 sqft.)
Bid Price for Asphalt Repair.....$18,031.00 tax exempt.

Mastic Seal

1. We will clean large cracks in specified areas of dirt and debris.
2. We will fill and seal all prepped cracks using hot pour mastic sealer.
3. The bid price is to purchase and install 250 LF of mastic sealer.

Estimate:

	Location	Total
1.	4th St. between Maple St. and Forest St.	250 LF
		Total = 250 LF

Notes:

1. Price includes mastic machine rental, material, and labor to complete sealing.

Bid Price for Mastic Seal.....$3,250.00 tax exempt.

Cost Surcharges:
Due to increases in material prices in FY 2022, we have had to add surcharges for increased costs. These increases have been entered in this proposal. South Central Sealing may need to adjust and add an additional surcharge if the cost increases further prior to completion of work. We will notify the Customer prior and request a change order be issued for further completion of work.

NET DUE UPON RECEIPT OF INVOICE.

Late Payments:
If Buyer fails to make payment within 30 days of the due date specified in the invoice, Buyer shall pay Contractor a late payment charge of 10% per month on the outstanding balance until paid in full. The contractor reserves the right to suspend services or terminate the agreement for non-payment.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from the above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Signature_____
Alex Stephenson
NOTE: We may withdraw this proposal if not accepted within 30 days.

ACCEPTANCE:
The above prices, specifications, and conditions are satisfactory and are accepted. You are hereby authorized to do the work as specified. Payment will be made as outlined above. YOU, THE BUYER, MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AFTER THE DATE YOU SIGN AND RETURN THIS PROPOSAL FORM.

DATE _____ SIGNATURE _____
Return One Copy of Signed Proposal To South Central Sealing L.L.C.

Patching and crack sealing

1. Corner of N. Willow St. and E. Oak St. 531 Sq. Ft. 3"
2. S. Chestnut St. between 2nd and 3rd St. 55' strip patch
3. 4th St. between Maple St. and Forest St. 250 'mastic crack sealing
4. 7th St. and Walnut St. 80 sq. ft. 3"
5. Maple St. and 6th St. 180 sq. ft. 3"
6. Maple St. and 10th St. 90 sq. ft. 3"
7. 9th St. between Maple St. and Forest St. 190 sq. ft. 3" 2 separate patches
8. Poplar St. and 8th St. 250 sq. ft. 3"
9. 413 S Elm St. 315 sq. ft. 5" Water patch
10. 7th St. from Hwy 77 to Deambra St. 1400 sq. ft. 5 " 9 separate patches
11. 6th St. from Hwy 77 to Chanelle St. 300 sq. ft. 5"
12. North side of Oak St. between Walnut and Willow St. Strip patch 60'
13. 6th and Forest St. 72 sq. ft. 3"
14. 209 S Walnut St. (Brick) 60 sq. ft. 5" Water patch
15. Chestnut St. and 6th St. 120 sq. ft. 3"
16. S. Elm cul-de-sac 144 sq. ft. 5"
17. 8th St. between Walnut St. and Forest St. 24 sq. ft. 3" Water patch

(Published in Butler County Times-Gazette on May ___, 2024)

ORDINANCE NO. 924

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE LOAN AGREEMENT BETWEEN DOUGLASS, KANSAS AND THE STATE OF KANSAS, ACTING BY AND THROUGH THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT FOR THE PURPOSE OF OBTAINING A LOAN FROM THE KANSAS PUBLIC WATER SUPPLY LOAN FUND FOR THE PURPOSE OF FINANCING A PUBLIC WATER SUPPLY PROJECT; ESTABLISHING A DEDICATED SOURCE OF REVENUE FOR REPAYMENT OF SUCH LOAN; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS IN **CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE LOAN AGREEMENT.**

WHEREAS, the Safe Drinking Water Act Amendments of 1996 [PL 104-182] to the Safe Drinking Water Act (the "Federal Act") established the Drinking Water Loan Fund to assist public water supply systems in financing the costs of infrastructure needed to achieve or maintain compliance with the Federal Act and to protect the public health and authorized the Environmental Protection Agency (the "EPA") to administer a revolving loan program operated by the individual states; and

WHEREAS, to fund the state revolving fund program, the EPA will make annual capitalization grants to the states, on the condition that each state provide a state match for such state's revolving fund; and

WHEREAS, by passage of the Kansas Public Water Supply Loan Act, K.S.A. 65-163d *et seq.,* as amended (the "Loan Act"), the State of Kansas (the "State") has established the Kansas Public Water Supply Loan Fund (the "Revolving Fund") for purposes of the Federal Act; and

WHEREAS, under the Loan Act, the Secretary of the Kansas Department of Health and Environment ("KDHE") is given the responsibility for administration and management of the Revolving Fund; and

WHEREAS, the Kansas Development Finance Authority (the "Authority") and KDHE have entered into a Pledge Agreement (the "Pledge Agreement") pursuant to which KDHE agrees to enter into Loan Agreements with Municipalities for public water supply projects (the "Projects") and to pledge the Loan Repayments (as defined in the Pledge Agreement) received pursuant to such Loan Agreements to the Authority; and

WHEREAS, the Authority is authorized under K.S.A. 74-8905(a) and the Loan Act to issue revenue bonds (the "Bonds") for the purpose of providing funds to implement the State's requirements under the Federal Act and to loan the same, together with available funds from the EPA capitalization grants, to Municipalities within the State for the payment of Project Costs (as said terms are defined in the Loan Act); and

WHEREAS, Douglass, Kansas (the "Municipality") is a municipality as said term is defined in the Loan Act which operates a water system (the "System"); and

WHEREAS, the System is a Public Water Supply System, as said term is defined in the Loan Act; and

WHEREAS, the Municipality has, pursuant to the Loan Act, submitted an Application to KDHE to obtain a loan from the Revolving Fund to finance the costs of improvements to its System consisting of the following:

[See Exhibit A of Loan Agreement]

(the "Project"); and

WHEREAS, the Municipality has taken all steps necessary and has complied with the provisions of the Loan Act and the provisions of K.A.R. 28-15-50 through 28-15-65 (the "Regulations") applicable thereto necessary to qualify for the loan; and

WHEREAS, KDHE has informed the Municipality that it has been approved for a loan in amount of not to exceed $295,000 (the "Loan") in order to finance the Project; and

WHEREAS, the governing body of the Municipality hereby finds and determines that it is necessary and desirable to accept the First Amendment to the Loan and to enter into a First Amendment to the loan agreement and certain other documents relating thereto, and to take certain actions required in order to implement the First Amendment to the Loan Agreement.

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DOUGLASS, KANSAS:

Section 1. Authorization of the First Amendment to the Loan Agreement. The Municipality is hereby authorized to accept the First Amendment to the Loan and to enter into a certain First Amendment of the Loan Agreement, with an effective date of March 4, 2024, with the State of Kansas acting by and through the Kansas Department of Health and Environment (the "First Amendment to the Loan Agreement") to finance the Project Costs (as defined in the First Amendment to the Loan Agreement). The Mayor and Clerk are hereby authorized to execute the First Amendment to the Loan Agreement in substantially the form presented to the governing body this date, with such changes or modifications thereto as may be approved by the Mayor and the Municipality's legal counsel, the Mayor's execution of the First Amendment to the Loan Agreement being conclusive evidence of such approval.

Section 2. Establishment of Dedicated Source of Revenue for Repayment of Loan. Pursuant to the Loan Act, the Municipality hereby establishes a dedicated source of revenue for repayment of the Loan. In accordance therewith, the Municipality shall impose and collect such rates, fees and charges for the use and services furnished by or through the System, including all improvements and additions thereto hereafter constructed or acquired by the Municipality as will provide System Revenues (as defined in the Loan Agreement) sufficient to (a) pay the cost of the operation and maintenance of the System, (b) pay the principal of and interest on the Loan as and when the same become due, (c) pay all other amounts due at any time under the Loan Agreement, and (d) pay the principal of and interest on Additional Revenue Obligations (as defined in the Loan Agreement) as and when the same become due; provided, however, the pledge of the System Revenues contained herein and in the Loan Agreement (i) shall be subject to reasonable expenses of operation and maintenance of the System, and (ii) shall be junior and subordinate in all respects to the pledge of System Revenues to any Additional Revenue Obligations. In the event that the System's Revenues are insufficient to meet the obligations under the Loan and the Loan Agreement, the Municipality shall levy ad valorem taxes without limitation as to rate or amount upon all the taxable tangible property, real or personal, within the territorial limits of the Municipality to produce the amounts necessary for the prompt payment of the obligations under the Loan and Loan Agreement. In accordance with the Loan Act, the obligations under the Loan and the Loan Agreement shall not be included within any limitation on the bonded indebtedness of the Municipality.

Section 3. Further Authority. The Mayor, Clerk and legal counsel are hereby further authorized and directed to execute any and all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of the Ordinance, and to make alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 4. Governing Law. The Ordinance and the First Amendment of the Loan Agreement shall be governed exclusively by and construed in accordance with the applicable laws of the State of Kansas.

Section 5. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the governing body of the City and publication in the official City's newspaper.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

PASSED by the governing body of the City Douglass on this ___ day May, 2024, and signed and **APPROVED** by the Mayor.

Mike Shirley, Mayor

(SEAL)

ATTEST:

Mike Powell, City Administrator/Clerk

APPROVED AS TO FORM:

Richard A. Samaniego, City Attorney

Mayor's Appointments – 2024

City of Douglass

Municipal Judge: William Muret
Court Clerk: Brittany Nordstedt
City Attorney: Richard Samaniego with Gibson, Watson and Morino
City Clerk/Administrator: Mike Powell
City Treasurer: Amie Whitt Zoning
Administrator: Mike Powell
Assistant Zoning Administrator: Mike Gowlovech
Subdivision Administrator: Mike Powell
Floodplain Administrator Mike Powell
City Engineer: Young & Associates, PA
City Auditor: Swindoll, Janzen, Hawk & Lloyd, LLC
City Bank: RCB Bank
City Newspaper: Butler County Times Gazette

Library Board
Jessica Williams
Crystal Olds
Kasi Adams
Lori Logsdon
Stan Mangas
Nancy Tosh
Jason Cathey

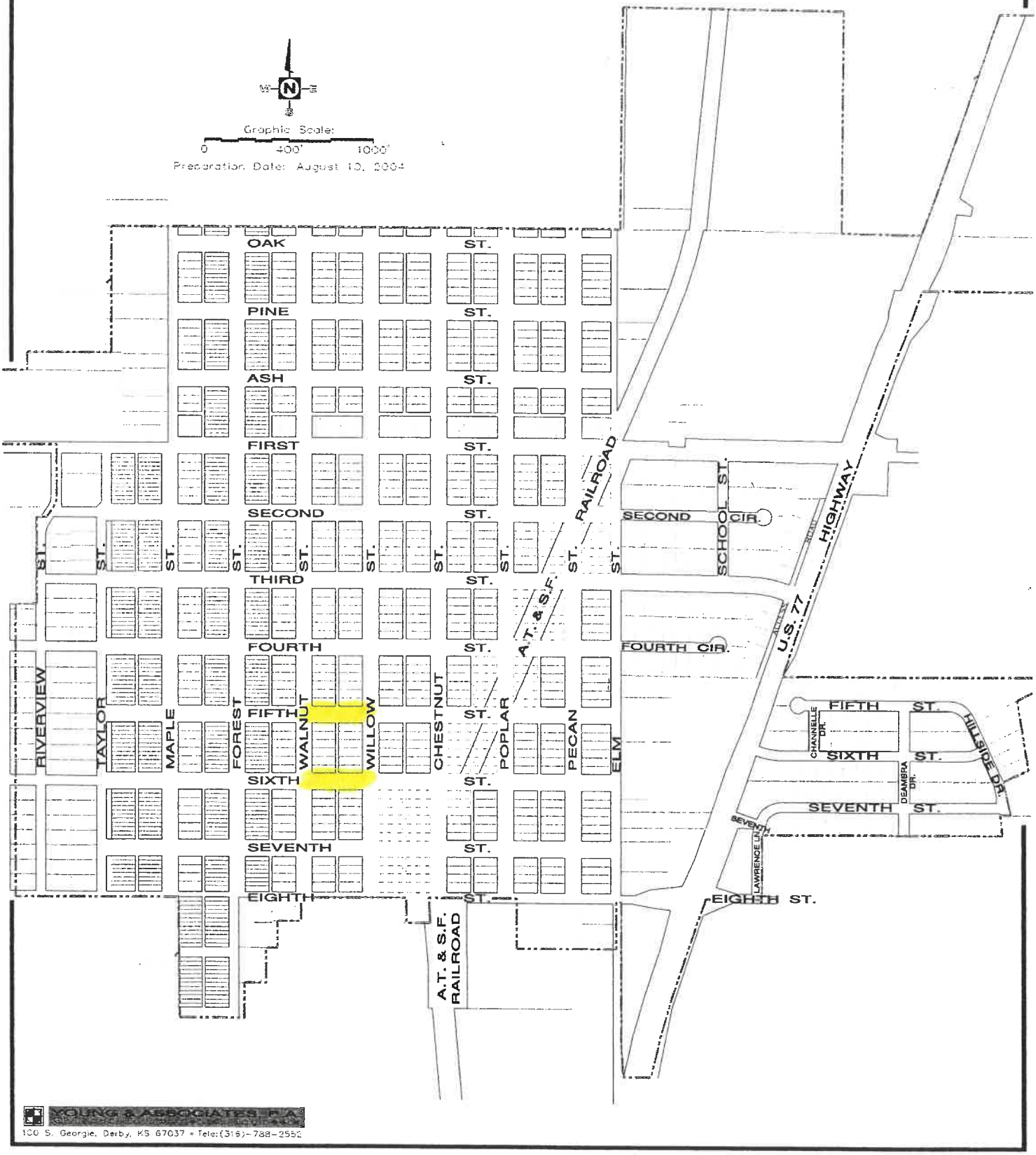
Butler County Solid Waste Committee-
Joint Position shared with Rose Hill and
Expiring12/31/2020; to be reviewed annually
With Mayor's Appointment

CITY OF DOUGLASS

BUTLER COUNTY, KANSAS

Close 5th + 6th Street from Walnut St. to Willow St from 9:00 AM to 4:00 pm

STREET MAP



YOUNG & ASSOCIATES, P.A.
100 S. Georgie, Derby, KS 67037 • Tele:(316)-788-2552