

MINUTES
CITY COUNCIL SPECIAL MEETING
SOLOMON KS 67480
August 17, 2022 at 6:00 pm

1. CALL TO ORDER AND ROLL CALL AT 6:00 PM

Mayor McMillen called the meeting to order. A quorum was present.

Council Present: Shawn Kirby, Ann Bush, Brian Duryea, Billy Hemmy, Colten Kohman

Council Absent: None

Staff Present: Dana Eye, Dan Britt, Aaron Martin

Others Present: Justin Coup

2. WATER MAIN RELOCATION – PRELIMINARY DISCUSSION

Two weeks ago, the construction crew at the school were trenching and discovered a buried cast iron pipe. It was determined 4” and 6” water mains are located in the former Pine Street easement that the city vacated in March. The assumption is that these were servicing the old water tower site and were not rerouted and abandoned when the new water tower was installed in the early 1980s. The new elementary school footings are to be placed right on top of the 4” water main.

The lines, connections and valves need to be located in order to reroute the water mains. A scope of work was prepared. Bids were submitted by J&K Contracting and Smoky Hill. J&K was the low bid at \$12,000 plus materials. Smoky Hill bid \$16,000 plus materials. The city crew will assist the contractor in disposing of 130 LF of cast iron pipe and providing backfill material.

Justin Coup, USD 393 Superintendent, stated he appreciates the city crew and mayor on tackling this problem. The school will start being penalized \$4,000 per day on August 29th for not meeting construction deadlines. This is an urgent matter that needs to be taken care of so the project can proceed and not affect opening dates next school year.

3. EXECUTIVE SESSION

K.S.A. 75-4319(b)(2) is the authority that necessitates an executive session for consultation with city attorney deemed to be privileged in the attorney-client relationship.

McMillen moves that the city council recess into executive session for 15 minutes to discuss with legal counsel certain legal considerations and issues in relation to the proposed relocation of a water main, based upon the need for consultation with an attorney for the public body which would be deemed privileged in the attorney-client relationship pursuant to K.S.A. 75-4319(b)(2). Dan Britt and Dana Eye will be present. The open meeting will resume in this room at 6:30 p.m., seconded by Hemmy, 5 Yeas, 0 Nays. Motion carried. Justin Coup departed the meeting.

Open session resumed at 6:30 p.m. Justin Coup returned to the meeting.

4. WATER MAIN RELOCATION – POTENTIAL ACTION IN RELATION TO APPROVAL OF CONTRACT FOR WATER MAIN RELOCATION

Several options were discussed including splitting the cost between the city and the school district, the city or school district paying in full and who is responsible for paying to relocate the water mains. Legal issues were touched on.

Bush moves that the city council recess into executive session for 10 minutes to discuss with legal counsel certain legal considerations and issues in relation to the proposed relocation of a water main, based upon the need for consultation with an attorney for the public body which would be deemed privileged in the attorney-client relationship pursuant to K.S.A. 75-4319(b)(2). Dan Britt and Dana Eye will be present. The open meeting will resume in this room at 7:10 p.m., seconded by Duryea, 5 Yeas, 0 Nays. Motion carried. Justin Coup departed the meeting.

Open session resumed at 7:10 p.m. Justin Coup returned to the meeting.

Motion by Hemmy to contract with J&K Contracting to reroute the water mains per the scope of work presented, not to exceed \$25,000, seconded by Duryea, 5 Yeas, 0 Nays. Motion carried.

Motion by Hemmy to ask the school district, in good faith, to pay 50% of the final costs, seconded by Duryea, 5 Yeas, 0 Nays. Motion carried.

5. ADJOURN

Motion to adjourn at 7:13 pm by Bush, seconded by Kohman, 5 Yeas, 0 Nays.
Motion carried.

SIGNED:

ATTEST:

Hunter McMillen
Mayor

Dana Eye, CMC
City Clerk