

CITY COUNCIL CHAMBERS
FEBRUARY 8, 2011
7:00 P.M.

A. CALL TO ORDER:

B. ROLL CALL: Members present were Councilmembers Clawson, Fullbright, Nielsen, Rapp, Wilson and Mayor Koelsch. Also present was Mary Jo Cunningham, representing the Ellinwood Leader.

C. APPROVAL OF MINUTES: A motion was made by Councilmember Fullbright to approve minutes for the January 11, 2011 regular council meeting. Motion seconded by Councilmember Wilson. Motion carried. All voting in favor.

D. APPROPRIATIONS: A motion was made by Councilmember Nielsen to authorize payment of bills and claims processed, seconded by Councilmember Clawson. Motion carried. All voting in favor.

E. OLD BUSINESS: None

F. VISITORS: Mary Jo Cunningham, Ron Cunningham, Curtis Wolf, Lloyd Kurtz, Debbie Glenn, Brittney Glenn and Chris Komarek.

G. NEW BUSINESS:

1. Service Awards: Service awards were presented to the following city employees for their years of service to the City of Ellinwood. The awards were presented to:

Debbie Glenn – 15 years – Ambulance Director

Chris Komarek – 15 years – Fire Chief

Gary Oglesbee – 15 years – Fire Department

Jim McMullen – 15 years – Fire Department

Sandra Ritterhouse – 10 years – Ambulance Department

2. Fall Cattle Drive: Lloyd Kurtz was present to address council with details about the 150th Anniversary Cattle Drive to be held in several Kansas towns along the old Ellsworth/Cox Cattle Trail. The plan is for the drive to involve up to 400 longhorn steers and would begin just south of Caldwell, Oklahoma, the weekend of September 3rd & 4th, and continue to Ellsworth, Kansas. The cattle drive would pass through Ellinwood the weekend of September 17, 2011. A request has been received from the organizers of the event to allow the cattle to be driven down Main Street after crossing the river south of town.

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A motion was made by Councilmember Wilson to allow the cattle drive to come down Main Street, seconded by Councilmember Fullbright. Motion carried. All voting in favor.

3. Kansas Wetlands Education Center Report: Curtis Wolf, Site Manager of Kansas Wetlands Education Center (KWEC) was present to give an update on the KWEC, including past accomplishments and goals for 2011. The Center is approaching their 2 year anniversary. Mr. Wolf explained the mission of the KWEC is to educate the public about wetlands and their importance to this area. During this past year the KWEC has had over 23,000 contacts through drop-in visitors, onsite programs, outreach programs, tradeshow booths, etc. Mr. Wolf also expressed appreciation to the Ellinwood community for their support.
4. Water Rate Review: At the January 11, 2011 council meeting, a study session was held to discuss the City's water rate structure. The current rates are \$6.00 base charge, which was increased from \$4.50 in 2005, and \$1.70 per 1000 gallons, which was established in 1994. The water fund has experienced significant losses in the last 3 years, which has prompted analysis of the water rate structure. Water rates were obtained from several surrounding communities, and upon analysis the City of Ellinwood has one of the lowest base charges.

A motion was made by Councilmember Nielsen to adopt Ordinance No. 2011-1, an ordinance amending the monthly service charge for water furnished through a meter; as provided in Section 15-221 of the revised ordinances of the City of Ellinwood, Kansas to \$2.00 per thousand gallons for all usage over 1000 gallons, and approve a monthly meter charge of \$10.00 per meter to be effective April 1st, 2011, also included in the motion was to approve a secondary increase to \$12.00 monthly meter charge and increase the usage fee to \$2.50 per 1000 gallons for all usage over 1000 gallons, effective April 1, 2013. Motion seconded by Councilmember Clawson.

Councilmember Nielsen left the meeting at 7:55 p.m.

Before the motion was approved, additional discussion ensued regarding the rate structure for water tank sales. Councilmember Fullbright amended the original motion to include an approval of a \$5.00 minimum charge for water tank sales up to a 1000 gallons and a \$5.00 per 1000 gallon charge up to a maximum of \$20. The amended motion was seconded by Councilmember Clawson. Motion carried. Councilmembers Clawson, Fullbright, Rapp and Wilson voted aye. Councilmember Nielsen was absent.

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5. Employee Salaries: This issue was tabled from the January 11, 2011 meeting. The budget for 2011 allowed for a 3% increase in employee's wages. After some discussion, a motion was made by Councilmember Wilson to approve a \$.40 per hour raise for all full-time employees, seconded by Councilmember Clawson. Motion carried. All present voting in favor. (Councilmember Nielsen absent from vote)

Councilmember Nielsen returned to the meeting at 8:15 p.m.

A motion was made by Councilmember Clawson to approve a 3% increase for the ambulance personnel, seconded by Councilmember Rapp. Motion carried. Councilmembers Clawson, Nielsen, Rapp and Wilson voting aye. Councilmember Fullbright, a member of the ambulance department, abstained from voting.

6. Property at 106 E. B Street: Presented to council were pictures of property at 106 E B. Street which has been determined to be a dangerous or unsafe structure and Resolution 020811, setting a time and place for a hearing on the condemnation of the property.

Subject to K.S.A. 12-1750; 12-1756 the City Governing Body may direct a property owner to abate a dangerous or dilapidated structure. The procedural process is as follows:

- a) A written statement prepared by the Enforcing Officer is submitted to the Governing Body.
- b) The Governing Body adopts resolution.
 - 1) Resolution is published two (2) times. 30 days must elapse between last publication and date for a hearing.
 - 2) Copy of the resolution is mailed by certified mail to each owner, agent, lienholder and occupant.
- c) Governing Body holds a hearing on the date and time specified in the resolution and makes a formal determination on conditions of the structure.
- d) If the structure is found to be unsafe or dangerous, the Governing Body adopts resolution declaring such and directs structure to be removed or repaired. The resolution shall be published one time and mailed to owners, agents, lienholder and occupant.
- e) If owner does not diligently commence repair or removal as directed by resolution the City may:
 - 1) Remove or repair the structure.
 - 2) Assess cost, less salvage, against the property.

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A motion was made by Councilmember Clawson to adopt Resolution No. 020811, a Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Ellinwood, Kansas, at which the owner, his or her agent, lienholders of record and occupants of the structure located at: The west 100 feet of the east 300 feet of the south 130 feet of block fifteen (15), in the city of Ellinwood, Kansas, according to the recorded plat thereof; being a part of section thirty-one (31), township nineteen (19) south, range eleven (11) west, commonly known as 106 East B Street, Ellinwood, Kansas, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as an unsafe or dangerous structure, and that a Public Hearing will be held on the 12th day of April, 2011, before the Governing Body of the City of Ellinwood, Kansas at 7:00 p.m. in the city council chambers of the city office. Motion seconded by Councilmember Nielsen. Motion carried. All voting in favor.

H. REPORTS:

2. Municipal Court Report: Presented to Council was the Municipal Court Report for January 2011.
2. Utilities Production Report: Presented to Council was the Utilities Production Report.
3. Staff Reports:
 - a) Chris Komarek reported about a rapid intervention fire team training event that was held in Ellinwood on February 7th. Brian Spini, a firefighter from the Johnson County Fire District was the featured speaker. The training was attended by 24 surrounding communities and encompassed over 100 firefighters.
 - b) Staff has been in contact with EBH & Associates regarding the containment structures at the sewer treatment plant.
 - c) Staff reported the street department will be working on snow removal. Jon Perron will be attending a 2 day lineman school and Spencer Proffitt will be attending a 2 day water school.
 - d) Staff reported he attended a legislative meeting in Topeka on January 24th. He will also be going to Washington D.C. February 27th – March 3rd for additional municipal utility legislative meetings in conjunction with his position as president of Kansas Power Pool. Expenses of the trip will be paid by Kansas Power Pool.

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e) Staff reported auditors will be coming February 17th and March 23rd.

I. **ADJOURNMENT:** There being no further business at this time, a motion was made by Councilmember Clawson that the meeting be adjourned, seconded by Councilmember Nielsen. Motion carried. All voting in favor.

Frank Koelsch, Mayor

Kim Schartz, City Clerk