

CITY COUNCIL CHAMBERS
APRIL 12, 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 Clawson to approve minutes for March 8, 2011 regular council meeting and March 21, 2011 special council meeting. Motion seconded by Councilmember Fullbright. 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 Wilson. Motion carried. All voting in favor.

E. OLD BUSINESS:

1. Public Hearing on 106 East B Street: At the February 8, 2011 council meeting the property at 106 East B Street was considered as being potentially dangerous or dilapidated and a resolution was subsequently passed setting a time and place for a public hearing where the owner, his or her agent, lien holders or occupants may appear.

The public hearing was held on the dangerous/unsafe structure at 106 East B Street. Mr. and Mrs. Ron Potts, owners of the property were present at the meeting to address council. They agree the structure needs to be removed, but are asking council for additional time to remove contents housed within the structure, and also to ask if there are any grant monies available to help with the demolition costs.

A motion was made by Councilmember Clawson to find that the structure located at 106 East B Street is unsafe, dangerous, or dilapidated and hereby directs such structure to be removed and the premises made safe and secure, motion seconded by Councilmember Nielsen. Motion carried. All voting in favor.

A motion was made by Councilmember Clawson to adopt Resolution No. 41211, directing the structure at 106 East B Street to be removed and the premises made safe and secure, allowing the owners to have until July 12, 2011 to remove the contents housed within the structure and demolish the structure or develop a plan to demolish the structure. Motion seconded by Councilmember Nielsen. Motion carried. All voting in favor.

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2. Special Purpose Vehicle Amendment: Presented to council was Ordinance No. 2011-2, amending Ordinance 2009-10 to provide for a one time registration fee and proof of insurance for each registered vehicle, so long as it was owned by the original registered individual. A motion was made by Councilmember Nielsen to adopt Ordinance No. 2011-2, seconded by Councilmember Clawson. Motion carried. All voting in favor.

3. 414 East 4th Street Demolition Bids: Presented to council were 2 bids that were received for the demolition and removal of the structure at 414 East 4th. Five bid proposals were sent out. The bids received were as follows:

Stone Sand Company -	\$4,800.00
Krier Dozier Services -	\$5,500.00

A motion was made by Councilmember Clawson to accept the bid from Stone Sand Company in the amount of \$4,800, seconded by Councilmember Nielsen. Motion carried. All voting in favor.

- F. **SWEARING IN OF GOVERNING BODY MEMBERS:** At the general election held on April 5, 2011, the following individuals were duly elected by the citizens of Ellinwood to serve in their respective position on the Governing Body.

- 1.) Frank Koelsch – Mayor
- 2.) Irlan Fullbright – Councilmember
- 3.) Gaila Nielsen – Councilmember

Frank Koelsch, Irlan Fullbright and Gaila Nielsen were sworn into office by Kim Schartz, City Clerk.

- G. **VISITORS:** Mary Jo Cunningham, Ron Potts, Connie Potts, Janice Birzer, Steve Birzer, Art Keffer, Dean Sattern and Chris Komarek.

H. **NEW BUSINESS:**

1. Election of Council President: As provided in the Ellinwood City Code, the City Council shall annually elect one of their own body, as “President of the Council.” The Council President shall preside at all meetings of the Council in the absence of the Mayor.

A motion was made by Councilmember Clawson nominating Councilmember Fullbright as Council President, seconded by Councilmember Wilson. Motion carried. All voting in favor.

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2. Designation of Official Depository: Each year the Mayor designates, with the consent of council, the institutions that may serve as depositories for City funds. The institutions recommended for this designation are:

Sunflower Bank, N.A.
Community Bank of the Midwest
Bank of the West – subject to approval of the auditors

A motion was made by Councilmember Nielsen accepting the designations as submitted by Mayor Koelsch, seconded by Councilmember Fullbright. Motion carried. All voting in favor.

3. Designation of Official Newspaper: Each year the Mayor shall designate, with the consent of Council, the official newspaper for publication of city notices. The Ellinwood Leader is the only operating newspaper in Ellinwood, and is recommended the designation as the official newspaper.

A motion was made by Councilmember Rapp accepting designation of the Ellinwood Leader as the official newspaper, seconded by Councilmember Nielsen. Motion carried. All voting in favor.

4. Appointment of Fire Committee: Each year the Mayor appoints two members of the council to represent the City in discussion with the two townships for contractual services to the fire district. This appointment is subject to council approval. Generally, the townships each pay 1/3 of the operating costs plus 1/2 of the direct rural equipment costs.

The Mayor recommends appointment of Councilmembers Fullbright and Rapp to the Fire Committee. A motion was made by Councilmember Clawson to accept the appointments as submitted by Mayor Koelsch, seconded by Councilmember Nielsen. Motion carried. All voting in favor.

5. Steve Birzer will Address Council: Steve and Janice Birzer were present at the meeting to address council regarding the lot they own in the 400 block of West 6th. The lot is the empty west lot on the north side of West 6th Street. Mr and Mrs. Birzer would like to sell the lot. The lot is 76' x 208' and is located in the flood plain. The flood plain issue inhibits the marketability of this as a residential lot. Mr. Birzer has inquired of the City, if they would have an interest in purchasing the lot. No action was taken by Council.

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6. Service Award: A service award was presented to Chris Komarek for his 30 years of service to the Fire Department
7. Approval of Tower Lease Agreement for Barton County: Presented to council was a tower lease agreement authorizing Barton County to place an antenna on the south water tower. This is part of the ongoing upgrades to the County dispatch system which also helps our communication.

A motion was made by Councilmember Wilson to approve the lease agreement with Barton County to allow placement of an antenna on the south water tower, seconded by Councilmember Fullbright. Motion carried. All voting in favor.

Councilmember Wilson left the meeting at 8:00 p.m.

8. Moratorium of Zoning Variance: Staff has requested council to address the possibility of approving a moratorium on zoning variance requests until the new zoning ordinance is approved, because of the number of significant changes being addressed by the Planning and Zoning Commission.

A motion was made by Councilmember Nielsen to approve a moratorium on zoning variance requests until the new zoning ordinance is approved, seconded by Councilmember Fullbright. Motion carried. All present voting in favor.

9. EMS Grant: Staff reported the City has received notification from the Kansas Board of Emergency Medical Services that the Ellinwood EMS has been approved to receive grant monies for a defibrillator. The total cost of the defibrillator is \$35,435. The grant requires a 25% match from the City in the amount of \$8,858.75 and requests immediate payment in order to complete the application. Staff explained the City's match can be paid from the Ambulance Contribution Fund.

A motion was made by Councilmember Clawson to approve payment of the matching requirement of \$8,858.75, seconded by Councilmember Nielsen. Motion carried. All present voting in favor.

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10. Slide for the Pool: The City has been awarded a grant from the CPI Community Foundation in the amount of \$3,000 for swimming pool enhancements. The City's intent is to use these funds for the purchase of a slide for the 3 foot area of the pool. Staff has researched available slides that would work in this depth and found no quality slides in this price range available. Staff has suggested city funds be used to supplement the grant proceeds in order to get a quality slide. Staff is requesting council to authorize him to purchase a slide not to exceed \$9,000.

A motion was made by Councilmember Fullbright to authorize Robert L. Peter, city administrator to purchase a slide at a cost not to exceed \$9,000, seconded by Councilmember Rapp. Motion carried. All present voting in favor.

H. REPORTS:

11. Municipal Court Report: Presented to Council was the Municipal Court Report for March 2011.
2. Utilities Production Report: Presented to Council was the Utilities Production Report.
3. Staff Reports:
- a) Staff reported a problem with the engine on the police pickup. The estimated cost to repair the engine was approximately \$3,500 and the cost for a rebuilt engine which includes a 36 month, 100,000 mile warranty was \$4,500. Staff authorized the purchase of the rebuilt engine.
 - b) Staff reported an ad has been placed in the newspaper for seasonal help.
 - c) Staff reported work has begun on the budget. He also reported auditors were here one day in March and completed the audit.
 - d) Staff reported the electric department is working on underground electric lines on S. Kennedy. The street department is in the process of getting bid proposals for a chip and seal project. The power plant is getting ready for generation season. Also, Art and Danielle attended police training in Emporia this past week.

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

Frank Koelsch, Mayor

Kim Scharz, City Clerk