

**CITY COUNCIL CHAMBERS**  
**SEPTEMBER 8, 2015**  
**7:00 P.M.**

**A. CALL TO ORDER:**

**B. ROLL CALL:** Members present were Councilmembers Rick Wilson, Alan Brauer, Gaila Nielsen, James McCormick, Kirk Clawson and Mayor Irlan Fullbright. Also present was Robert Peter, city attorney, Mary Jo Cunningham, representing the Ellinwood Leader and Veronica Coons, representing the Great Bend Tribune.

**C. APPROVAL OF MINUTES:** A motion was made by Councilmember James McCormick to approve minutes for the August 11, 2015 regular council meeting and the August 24, 2015 special city council meeting, seconded by Councilmember Gaila Nielsen . Motion carried. All voting in favor.

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

**E. OLD BUSINESS: NONE**

**F. VISITORS:** Ron and Mary Jo Cunningham, Robert Peter, Vernon Robl, Lloyd Kurtz and Rob Dove, Judy Hayes, Rosie Joiner, Veronica Coons

**G. NEW BUSINESS:**

1. Public Hearing on Neighborhood Revitalization Plan: Mayor Irlan Fullbright opened the public hearing on the Neighborhood Revitalization Plan at 7:05 p.m. Public comments were heard from Rob Dove. After hearing public comments, Mayor Fullbright declared the public hearing closed at 7:10 p.m.
2. Consider Adoption of Neighborhood Revitalization Plan: Presented to council was the Neighborhood Revitalization Plan including Resolution No. 90815, a resolution adopting the revitalization plan and designating a revitalization area and approving an interlocal agreement. The Plan provides for an expiration date of December 31, 2020.

A motion was made by Councilmember Gaila Nielsen to adopt Resolution 90815 and the findings of the 2 tier plan, to approve the designated areas on the map as Tier 1, with the remainder of the City as Tier 2, approve a start date of September 8, 2015 and approve the formulas of Tier 1 and Tier 2 as follows:

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Tier 1 – 8 year plan - 3 years @ 80%, 3 years @ 60% and 2 years @ 40%  
Tier 2 – 5 year plan - 80% the first year, 70% second year, 60% third year  
50% fourth year and 40% the final year

Motion seconded by Councilmember Rick Wilson. Motion carried. All voting in favor.

3. Consider Purchase of Police Car: Presented to council was a request from Police Chief Keffer for the purchase of a 2012 Dodge Charger from the Kansas Highway Patrol to replace the 2009 Ford Crown Victoria. The 2012 Dodge Charger has 49,500 miles on it and the cost is \$16,800.

A motion was made by Councilmember Kirk Clawson to approve the purchase of the 2012 Dodge Charger from the Kansas Highway Patrol in the amount of \$16,800, seconded by Councilmember Gaila Nielsen. Motion carried. All voting in favor.

4. Approve KDOT Agreement: Presented to council was a Utility Agreement from KDOT regarding relocation of sewer and water lines and appurtenances thereto to clear the proposed highway construction. The estimated total cost of work to be accomplished is \$2,507,449.00. Councilmember Rick Wilson made a motion to approve the Utility Agreement from KDOT as presented, seconded by Councilmember James McCormick. Motion carried. All voting in favor.

5. Consider Contract with Robert Peter for City Attorney: The current employment agreement between the City and Robert Peter will expire on October 1, 2015. Presented to council was a legal services agreement between the City of Ellinwood and Robert Peter to retain his services as City Attorney for the sum of \$2000 per month, with an effective date of October 1, 2015. The contract is based on 25 hours per month with any hours in excess of 25 hours to be billed at a rate of \$125 per hour.

A motion was made by Councilmember Gaila Nielsen to approve the legal services agreement as presented retaining Robert Peter as City Attorney, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.

6. Health Insurance Renewal: The City's health insurance policy is up for renewal on November 1<sup>st</sup>. Currently the City has the Blue Cross and Blue Shield "Blue Care Premier Shop" plan with a \$1400 deductible, 20% coinsurance, office copays and prescription copays. The renewal premium increased approximately 3%. If council approves the renewal of the plan,

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it will be done online via the healthcare.gov website. The dental coverage is not included under this “Marketplace” plan, it is still offered through our local BXBS agent. The renewal premium for dental coverage increased 9%, approximately \$120 per month. The City currently pays 100% of the health and dental premium for employee only coverage and 85% of the premium for the other coverages. The contribution rates under the marketplace require the city to determine a contribution rate toward the employee premium and a separate contribution rate toward the dependent premium. If council approves a city contribution of 100% toward the employee premium, the additional premium costs would be a 5% increase in the total monthly premium.

A motion was made by Councilmember Gaila Nielsen to approve the renewal of the BXBS “Blue Care Premier Shop” plan and the separate BXBS dental plan and to approve the city contribution of 100% for employee premiums and 85% contribution for dependent premiums. Motion seconded by Alan Brauer. Motion carried. All voting in favor.

7. Delinquent Accounts Review – Executive Session: The auditors recommend the City annually review delinquent accounts and write off those accounts which are becoming aged. A review and write-off of older accounts provides the City with a more accurate amount of collectible accounts receivable at year end. Although the accounts are written off, the City will continue with collection efforts including referral of the accounts to the State of Kansas Setoff Program to offset against tax refunds or funds. The city’s percentage of bad debts is very low.

An executive session is requested to review the list of delinquent accounts. A motion was made by Councilmember Gaila Nielsen to adjourn into executive session for eight (8) minutes for review of delinquent accounts, with Robert Peter, city attorney and Kim Schartz, city clerk present and that the council meeting will reconvene in the council chambers. Councilmember Alan Brauer seconded the motion. Motion carried. All voting in favor. The governing body recessed into executive session at 7:47 p.m.

Meeting reconvened into regular session at 7:55 p.m. No action taken. A motion was made by Councilmember Alan Brauer to approve the list of delinquent accounts as presented for write off, seconded by Councilmember Gaila Nielsen. Motion carried. All voting in favor.

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8. Executive Session Related to Attorney Client Privilege: An executive session is requested for discussion of matters related to client attorney privilege, with Robert Peter, city attorney present. A motion was made by Councilmember Kirk Clawson to adjourn into executive session for thirty (30) minutes for discussion of matters subject to client attorney privilege, with Robert Peter, city attorney and Kim Schartz, city clerk present and that the council meeting will reconvene in the council chambers, seconded by Councilmember Gaila Nielsen. Motion carried. All present voting in favor. The governing body recessed into executive session at 8:00 p.m.

Meeting reconvened at 8:30 p.m. No action taken. A motion was made by Councilmember Alan Brauer to approve hiring Pickens Restoration Company at a price of \$17,100 to apply a concrete material to the south wall of the Batchman building after removal of the main street buildings. Motion seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.

**H. REPORTS:**

1. Municipal Court Report: Presented to Council was the Municipal Court Report for August, 2015.
2. Utilities Production Report: Presented to Council was the Utilities Production Report.
3. Staff Reports:
  - a) Staff reported the EMT and Fire Departments will hold an open house on October 3<sup>rd</sup>, from 1 to 4.
  - b) Staff met with David Wenger from KDOT and several people with Kirkham Michael to discuss details of the KDOT project. On October 1<sup>st</sup>, Kirkham Michael will hand over the plans to KDOT. As of now, the prebid conference is scheduled for October 15<sup>th</sup> and the bid opening on November 15<sup>th</sup>, with work to begin hopefully on December 1<sup>st</sup>, with a completion date of June 1<sup>st</sup>.
  - c) Staff will meet with a T-Mobile representative on Thursday to discuss antenna placement on the water tower.

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

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Irlan Fullbright, Mayor

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Kim Scharz, City Clerk