

CITY COUNCIL CHAMBERS
AUGUST 8, 2017
7:00 P.M.

A. CALL TO ORDER:

B. ROLL CALL: Members present were Councilmembers Alan Brauer, Ken Lebbin, Kirk Clawson, Gaila Demel, James McCormick and Mayor Irlan Fullbright. City attorney Robert Peter was present. Also present was 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 Gaila Demel to approve minutes for the July 11, 2017 regular council meeting and the July 20, 2017 special council meeting seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.

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

E. OLD BUSINESS: NONE

F. VISITORS: Ron Cunningham, Jon Perron, Kevin Clair, Jacque Isern, Jim McMullen, Judy Hayes, Art Keffer, Rob Dove, Larry Clair, Howard Herter, Brittney Glenn, Joe Schulte, Kevin Kramp

Rob Dove expressed his deep appreciation to the EMS Department.

G. NEW BUSINESS:

1. Service Award: Council President Alan Brauer presented a service award to Irlan Fullbright for his 40 years of service to the Ellinwood EMS Department.
2. Public Hearing on 2018 Budget: As part of the adoption of each year's budget, a Public Hearing is required. Notice has been given pursuant to statute to hold this year's hearing at 7:00 p.m.

Mayor, Irlan Fullbright opened the public hearing on the proposed 2018 budget at 7:08 p.m. There were no comments from the public. Mayor Fullbright declared the public hearing closed at 7:10 p.m.

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3. Consideration of Budget for Approval: At the conclusion of the public hearing, the Council considers adoption of the proposed budget. An ordinance must be passed adopting the budget. Adoption of the proposed budget does not require spending the amounts adopted; however, the adopted budget allows those amounts to be utilized when necessary.

A motion was made by Councilmember Ken Lebbin to adopt the 2018 proposed budget and adopt Ordinance 2017-4, an ordinance approving, adopting and appropriating, by fund the budget of the City of Ellinwood, Kansas for the year beginning January 1, 2018, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor

4. Review of 2017 After Harvest Festival: Jacque Isern, Rob Dove and Judy Hayes representing the Ellinwood Chamber of Commerce were present to review the 2017 After Harvest Festival of events with the City Council.
5. Storm Water Drainage at 315 E. Santa Fe: Mr. Howard Herter, owner of the property located at 315 E. Santa Fe was present to address council regarding the water drainage problems that exist on his property due to the rise in elevation because of new building construction of surrounding properties. Mr. Herter would like council to consider adopting or revamping an ordinance to prevent flooding issues from neighboring structures.
6. Appointment of Voting Delegates to League of Kansas Municipalities: The annual conference for the League of Kansas Municipalities is scheduled for September 16th – 18th, 2017. It is necessary that a voting delegate and alternate be designated by the council.

A motion was made by Councilmember Alan Brauer to designate Chris Komarek, City Administrator as voting delegate and Irlan Fullbright, Mayor, as alternate voting delegate, seconded by Councilmember Gaila Demel. Motion carried. All voting in favor.

7. Consider Adopting Revised Ordinance of Interconnect Standards: Presented to council for review was Ordinance 2017-5, an ordinance adopting interconnection standards for installation and parallel operation of customer owned residential and commercial renewable generation facilities together with net metering/parallel generation rate rider for customer owned renewable energy generation facilities and repealing ordinance 2009-11 and all conflicting ordinances. The standards for net metering and parallel generation were approved at the June 13, 2017 city

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council meeting, however the council needs to approve an ordinance adopting those standards.

A motion was made by Councilmember Kirk Clawson to approve Ordinance 2017-5, seconded by Councilmember James McCormick. Motion carried. All voting in favor.

8. Review Neighborhood Revitalization Project: Presented to council was the 2015 Neighborhood Revitalization Plan, which was approved by council at the September 8, 2015 city council meeting. The plan was submitted to the State Attorney General's Office and was rejected. Staff has requested council to consider approving the plan again after making updates to the plan as needed. Staff explained the updated plan would make it retroactive back to January 1, 2017. The consensus of the council was to proceed with Neighborhood Revitalization Project, which includes publishing the notice of hearing for two consecutive weeks and then hold a public hearing at the September 12, 2017 meeting.
9. Review Bond Financial Analysis and Project Ordinance: Presented to Council for review is the Financial Services Agreement with Piper Jaffray to serve as the City's financial advisor on the bond project. Robert Peter, city attorney, has reviewed the agreement and has a couple of concerns that he would like to address with Greg Vahrenberg before council approves the agreement.

Also presented to council was a financial analysis of the debt service requirements for a \$1,200,000 bond for a 10, 15 and 20 year payout.

Also presented to council was Ordinance 2017-6, designating certain additional streets as main trafficways or traffic way connections within the corporate limits of the City; authorizing the City to make main trafficway improvements, flood control improvements and purchase and acquire a tractor/backhoe; authorize the City to issue general obligation bonds in an approximate principal amount of \$1,220,000 to pay the costs of the main trafficway improvements, flood control improvements and the acquisition of a tractor/backhoe and to amend Ordinance No. 2001-2.

A motion was made by Councilmember Ken Lebbin to approve Ordinance 2017-6, seconded by Councilmember Gaila Demel. Motion carried. All voting in favor.

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10. Review of Sanitation Collection Schedule and Procedures: Staff explained according to City Ordinance, trash is to be picked up twice weekly from May 1 to October 1. Staff requests council consider once a week pickup October through April. Staff explained there would be minimal fuel savings and less wear and tear on City streets. Also discussed were procedures for picking up extra residential trash. Currently the rear loader drives the streets ahead of the side loader to pick up extra residential trash.

Staff wanted to visit this issue and give council time to review the current procedures and possible alternatives. This issue was tabled until the September 12, 2017 meeting.

11. Discuss Quote for Chip and Seal of Asphalt Streets: Staff explained that in the past the City has chip sealed approximately one-third of the asphalt streets every year, however this was suspended for several years due to budget constraints. In 2016 the City chip sealed approximately 40,000 square yards of streets. There is approximately 55,673 square yards of street remaining to be sealed. Presented to council were two quotes from B & H Paving, Inc. to chip seal the City's remaining streets:

Chip seal – 30,000 square yards @1.94 per sq yd - \$58,200
Chip seal - 55,673 square yards @1.69 per sq yd - \$94,087

Staff explained there would be a savings of \$13,918 to do all the remaining sealing this year.

The consensus of the council was to table the issue at this point and review it closer to the end of the budget year.

12. Bids for Purchase of Vacuum Excavation Unit: Staff explained it has become more common to bury utility lines underground, and the purchase of a Vactron unit would enable the City to locate these lines without causing any damage to the lines. Presented to council were the following bids:

Vermeer:

Model LP873, Skid mount unit	\$48,480
Model LP873, Bed mount unit	50,280
Model LP873, Trailer mounted	59,442

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Ditch Witch:

Model FX750, Skid mount	\$66,314
Model FX750, Trailer mounted	77,462

(They do not make a bed mounted unit)

(Above amounts do not include sales tax)

City staff would prefer a truck mount unit, which would require the purchase of a used truck.

A motion was made by Councilmember James McCormick to approve the bid from Vermeer in the amount of \$50,280, seconded by Councilmember Ken Lebbin. Motion carried. All voting in favor.

13. Discuss Purchase of Used Truck for Vacuum Excavation Unit: Presented to council was a quote for a used 1998 FL70 freightliner that meets the needs for the Vactron unit in the amount of \$6000. The truck is owned by Chris Batchman. It is staff's recommendation, after reviewing the availability and pricing of other vehicles, that council consider purchasing the 1998 FL70 freightliner.

A motion was made by Councilmember Gaila Demel to approve the purchase of the 1998 FL70 freightliner from Chris Batchman in the amount of \$6000, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.

14. Discuss Purchase of Used Truck for Fire Department: Staff explained during the fire budget meeting, which was made up of representatives from Lakin and Comanche Townships and the City, it was discussed to replace the 1971 6x6 2 ½ ton brush truck. Staff located a used 2008 Ford F-550 truck in the amount of \$24,995 and it is the recommendation from the fire board to purchase this vehicle. The cost of the vehicle would be paid from the reserve funds set aside for equipment replacement, which is funded 1/3 from each township and 1/3 from the City.

A motion was made by Councilmember Ken Lebbin to approve the purchase of the 2008 Ford F-550 truck in the amount of \$24,995, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.

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15. Executive Session – Review of Confidential Information of Individual Delinquent Utility Accounts: 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 Ken Lebbin to recess into executive session for five (5) minutes for the review of confidential delinquent utility account information pursuant to KSA 45-221 (a) and KSA 75-4319 until 9:10 p.m., with Robert Peter, city attorney, Chris Komarek, city administrator and Kim Schartz, city clerk present and to reconvene in council chambers at that time. Motion seconded by Councilmember Gaila Demel. Motion carried. All voting in favor. The governing body recessed into executive session at 9:05 p.m.

Meeting reconvened into regular session at 9:10 p.m. No action taken.

After some discussion, a motion was made by Councilmember Gaila Demel to approve for write off, the list of delinquent accounts totaling \$14,862, seconded by Councilmember Ken Lebbin. Motion carried. All voting in favor.

H. REPORTS: (These reports were given prior to executive session)

1. Municipal Court Report: Presented to Council was the Municipal Court Report for July, 2017.
2. Utilities Production Report: Presented to Council was the Utilities Production Report.
3. Staff Reports:
 - a) Staff reported the blue-green algae issue at Wolf Pond is gone and the signs can be taken down.
 - b) Staff reported the City sent 2 electric department employees, along with the digger truck to the City of Kiowa on Sunday, August 6th in response to a mutual aid request to assist with electrical drops.

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- c) Staff gave an update on the KDOT project. South Main Street will be closed for 2 to 3 weeks, and then it will flop and North Main will be closed for 2 weeks.

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

Irlan Fullbright, Mayor

Kim Schartz, City Clerk