

CITY COUNCIL CHAMBERS
MAY 8, 2018
7:00 P.M.

- A. **CALL TO ORDER:** Mayor Irlan Fullbright called the meeting to order at 7:00 p.m.
- B. **ROLL CALL:** Members present were Councilmembers Jon Prescott, James McCormick, Ken Lebbin, Kirk Clawson, Alan Brauer 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 Jon Prescott to approve minutes for the April 10, 2018 regular council meeting, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.
- D. **APPROPRIATIONS:** A motion was made by Councilmember Jon Prescott to authorize payment of bills and claims processed, seconded by Councilmember Ken Lebbin. Motion carried. All voting in favor.
- E. **VISITORS:** Ron Cunningham, Brittney Glenn, Kevin Clair, Josh Komarek, Jon Perron, George Martin, Danielle Hollingshead, Rob Dove, Judy Hayes

George Martin who resides at 108 West 4th addressed council with his concerns about the condition of the property east of his residence. He also explained that vegetation from the surrounding property is encroaching on his property.

Rob Dove, representing the Ellinwood Chamber of Commerce addressed council regarding permission to prepare a memo for council to review at next meeting regarding signage along the highway.

F. **OLD BUSINESS: NONE**

G. **NEW BUSINESS:**

1. Service Award: A service award was presented to Jon Perron for his 10 years of service in the Electric Distribution Department.
2. 2017 Audit Report: Presented to council was the 2017 audit report. Danielle Hollingshead, a representative of Adams, Brown, Beran & Ball, Chtd. was present and reviewed the audit with council.

A motion was made by Councilmember Kirk Clawson to accept the 2017 audit report as presented, seconded by Councilmember Alan Brauer. Motion carried. All voting in favor.

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3. Ordinance for Consumption of Alcohol on Public Property: Presented to council for review was Ordinance 2018-2, an ordinance that allows for the consumption of cereal malt beverages in the City Park from 4:00 p.m., Thursday, July 19, 2018, through 2:00 a.m. Sunday July 22, 2018 in association with the beverage tent and the After Harvest Festival.

A motion was made by Councilmember Kirk Clawson to approve Ordinance 2018-2, an ordinance exempting certain following described property, the title of which is vested in the City of Ellinwood, Kansas to permit the consumption of cereal malt beverages thereon, as authorized by charter ordinance No. 5 of said city and establishing the time when such exemption shall be effective. Councilmember James McCormick seconded the motion. Motion carried. All voting in favor.

4. Kansas Sidewinders Cereal Malt Beverage Application: Presented to council was an application for a cereal malt beverage license submitted by the Kansas Sidewinders MC for operation of a beverage tent at the After Harvest Festival beginning Thursday, July 19, 2018 at 4:00 p.m. through midnight on Saturday, July 21, 2018.

A motion was made by Councilmember James McCormick to approve the cereal malt beverage application for operation of a beverage tent by the Kansas Sidewinders MC at the After Harvest Festival for Thursday July 19, 2018 beginning at 4:00 p.m. through midnight on Saturday, July 21, 2018 for the licensed premise as outlined in Ordinance 2018-2. Motion seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.

5. Appointment of KPP Voting Delegates: Each city that has a contract with the Kansas Power Pool (KPP) has a primary voting delegate and alternates. Robert Peter has been the primary delegate for the City since joining the KPP and there is currently no alternate designated. Staff requests council consider appointing City Administrator Chris Komarek as the primary voting delegate and Jon Perron and Robert Peter as alternates.

A motion was made by Councilmember Jon Prescott to approve the appointment of Chris Komarek as the KPP primary voting delegate and Jon Perron and Robert Peter as alternates, seconded by Councilmember Ken Lebbin. Motion carried. All voting in favor.

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6. Approve Additional W 1st Street Expenses: Staff explained after the removal of the brick and sub base concrete on West 1st Street it was determined the dirt below was saturated with moisture. It was determined the best course of action was to remove more of the dirt and replace it with crushed concrete to tighten up the base and set it to grade. Due to the immediate time constraint and after consulting with Mayor Fullbright, staff approved the work to be completed to have the project continue. Presented to council was the quote from Stone Sand Co., Inc. for the additional work in the amount of \$17,512.50.

A motion was made by Councilmember Alan Brauer to ratify staff's decision to approve the additional work on West 1st Street in the amount of \$17,512.50 because of time constraints, seconded by Councilmember James McCormick. Motion carried. All voting in favor.

7. Approval of Additional Engineering Cost on Street Project: Presented to council was a cost estimate from EBH & Associates for the on-site survey staking for an estimated cost of \$7935. Staff explained these costs were part of the early construction estimate but they were missed in the bid document, therefore they were not included in the bid.

A motion was made by Councilmember Kirk Clawson to approve the on-site survey staking costs not to exceed the estimated cost of \$7935, seconded by Councilmember Jon Prescott. Motion carried. All voting in favor.

8. Consider Bids for Sale of Tractor: The City advertised the sale of the 1991 backhoe by sealed bids that were to be submitted by 10:00 a.m. on May 4, 2018. The City received several bids as follows:

Sylvia Township	\$17,000
John Thomas	\$15,200
K & T Services:	\$13,501

A motion was made by Councilmember James McCormick to approve the sale of the 1991 backhoe to the high bidder of Sylvia Township in the amount of \$17,000, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.

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9. Consider Bids for Sale of Truck: The City advertised the sale of the 1988 Ford pick-up by sealed bids that were to be submitted by 10:00 a.m. on May 4, 2018. The City did not receive any bids at the time of the bid opening.

Staff explained a bid was received after the cut off date and time. The bid was from Jace McKinney for \$50. A motion was made by Jon Prescott to accept the bid from Jace McKinney for \$50, seconded by Councilmember James McCormick. Motion carried. All voting in favor.

10. Consider Purchase of Wing Mower: Staff explained the large bat wing mower used to mow the airport and the majority of the drainage ditches is 10 years old and has become a maintenance issue. He also explained more mowing will be done with the addition of the KDOT detention pond and the 1 mile of waterway on the new flood control. Presented to council were the following bids:

BTI–John Deere CX15 Flex-Wing Rotary mower (net of trade-in)	\$12,950
Straub International -Landpride RCM6615 (net of trade-in)	\$12,550

Staff would prefer the John Deere mower because of additional safety features on the mower and the ease of getting parts.

A motion was made by Councilmember Jon Prescott to approve the bid from BTI in the amount of \$12,950 net of trade-in, seconded by Councilmember Ken Lebbin. Motion carried. All voting in favor.

11. Consider Purchase of Riding Mower: Staff explained the city has three Hustler mowers. These mowers are used in the parks, ball fields, airport hangar area, yards that home owners don't maintain, etc. The 2013 mower has 1250 hours of use and is primarily used for the rough mowing, the 2006 has 1900 hours and is used primarily in the parks, the 1998 model has 3400 hours and is used for rough mowing and mowing at the sewer treatment plant. Staff is requesting council to consider the purchase of a new mower to add to the fleet of mowers. The 1998 model will be kept at the sewer treatment plant. Presented to council were the following quotes from Pro-Green Total Lawn Care:

72" Hustler Super-Z Hyperdrive Mower with bagger	\$14,839
72" Hustler Super-Z Hyperdrive Mower	\$11,589

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A motion was made by Councilmember Ken Lebbin to approve the quote from Pro-Green Total Lawn Care for the 72” Hustler Super-Z mower with bagger in the amount of \$14,839, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.

12. 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 Kirk Clawson nominating Councilmember Ken Lebbin as Council President, seconded by Councilmember Jon Prescott. Motion carried. All voting in favor.

13. 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

A motion was made by Councilmember Jon Prescott accepting the designations as recommended by Mayor Irlan Fullbright, seconded by Councilmember Ken Lebbin. Motion carried. All voting in favor.

14. 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 for designation as the official newspaper. Staff suggested designating the Great Bend Tribune as an alternate official newspaper.

A motion was made by Councilmember James McCormick accepting the designation of the Ellinwood Leader as primary official newspaper and the Great Bend Tribune as an alternate official newspaper, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor

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15. 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 ½ of the direct rural equipment costs.

Mayor Fullbright recommends appointment of Councilmembers James McCormick and Alan Brauer to the Fire Committee. A motion was made by Councilmember Kirk Clawson to accept the appointments as submitted by Mayor Irlan Fullbright, seconded by Councilmember Jon Prescott. Motion carried. All voting in favor.

16. Executive Session for Non-Elected Personnel: An executive session is requested for discussion of job performance of non-elected personnel pursuant to KSA 45-221(a)(26) and KSA 75-4319. A motion was made by Councilmember Ken Lebbin to recess into executive session for discussion of job performance of non-elected personnel pursuant to KSA 45-221 (a) (26) and KSA 75-4319 for fifteen minutes (15), with Robert Peter, city attorney and Chris Komarek city administrator present and that the council meeting will reconvene in the council chambers, seconded by Councilmember Jon Prescott. Motion carried. All voting in favor. The governing body recessed into executive session at 8:30 p.m.

Meeting reconvened at 8:45 p.m. No action taken. A motion was made by Councilmember Ken Lebbin to recess into executive session for an additional twenty (20) minutes for discussion of job performance of non-elected personnel pursuant to KSA 45-221 (a) (26) and KSA 75-4319 with Robert Peter, city attorney and Chris Komarek, city administrator present and that the council meeting will reconvene in the council chambers, seconded by Councilmember Jon Prescott. Motion carried. All voting in favor. The governing body recessed into executive session at 8:45 p.m.

Meeting reconvened at 9:05 p.m. No action taken. A motion was made by Councilmember Ken Lebbin to recess into executive session for an additional ten (10) minutes for discussion of job performance of non-elected personnel pursuant to KSA 45-221 (a) (26) and KSA 75-4319 with Robert Peter, city attorney and Chris Komarek, city administrator present and that the council meeting will reconvene in the council chambers, seconded by Councilmember Jon Prescott. Motion carried. All voting in favor. The governing body recessed into executive session at 9:10 pm.

Meeting reconvened at 9:20 p.m. No action taken

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17. Annual Appointment of Department Directors: As provided by City Code, the Mayor, with consent of council, may appoint the city officers/directors. This issue was tabled.

18. City Administrator Contract Review: After some discussion, a motion was made by Councilmember Jon Prescott to approve a 4% increase in the City Administrator salary and increase the monthly car allowance to \$500 per month, 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 April, 2018.
2. Utilities Production Report: Presented to Council was the Utilities Production Report.
3. Staff Reports:
 - a) Staff reported an insurance dividend check in the amount of \$19,249 was received from EMC Insurance group.
 - b) Staff reported that weed letters and junk vehicle letters continue to be sent out.
 - c) Staff reported city crews have been doing maintenance on the bandshell and working on the water main on Wilhelm street. City office staff have been working on the city newsletter.
 - d) Staff is considering hiring part-time help for the summer.
 - e) Staff gave an update on the street project on 1st street and explained a gas line was exposed and additional work is on hold until the gas company gets the line buried.
 - f) Staff reported the storm sewer work up north has been completed.
 - g) Staff reported the city has received the permit from the Kansas Division of Water Resources for Corey Long's driveway work, however is still waiting on the permit from the county.
 - h) Staff requested council to consider a special meeting to review the Zoning Ordinance on May 21st.

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- I. **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 Jon Prescott. Motion carried. All voting in favor.

Irlan Fullbright, Mayor

Kim Schartz, City Clerk