

CITY COUNCIL CHAMBERS
AUGUST 14, 2018
7:00 P.M.

- A. **CALL TO ORDER:** Mayor Irlan Fullbright called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.
- B. **ROLL CALL:** Members present were Councilmembers Ken Lebbin, Kirk Clawson, James McCormick, and Mayor Irlan Fullbright. Councilmembers Jon Prescott and Alan Brauer were absent. 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 James McCormick to approve minutes for the July 10, 2018 regular council meeting and July 23, 2018 and July 30, 2018 special council meeting, seconded by Councilmember Kirk Clawson. Motion carried. All present voting in favor.
- D. **APPROPRIATIONS:** A motion was made by Councilmember Kirk Clawson to authorize payment of bills and claims processed, seconded by Councilmember Ken Lebbin. Motion carried. All present voting in favor.
- E. **VISITORS:** Ron Cunningham, Terry Boor, Jim McMullen, Jon Perron, Brittney Glenn, Chance Bailey, Rob Dove, Michele Martin, Judy Hayes, Mark Chesney, Joe Schulte

Michele Martin, representing the Ellinwood Chamber of Commerce reported the Chamber will be hosting the South Central Tourism Region meeting this month at Wolf Hotel, August 22nd at 10:00 am and extended an invitation to the council and city staff.

Rob Dove addressed council and gave an update on the community signage project.

Terry Boor addressed council regarding the enforcement of ordinances for junk vehicles and tall weeds. She also inquired about pitbulls in the city and was told they are not allowed in the city limits.

- F. **OLD BUSINESS:**
1. Sale of Salvaged Brick: This issue was tabled from the July 10, 2018 council meeting. Councilmember Jon Prescott has contacted Ryder Brick, located in Bixby Oklahoma and they have offered \$.16 per brick and would like to purchase the brick in quantities of \$5000. Ryder Brick will bring their truck, equipment, and personnel to the site to gather the brick.

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Staff explained the City will need to determine the amount of brick needed for street maintenance and council will need to consider allowing city residents to have or purchase salvaged bricks for personal residential projects. After much discussion, a motion was made by Councilmember Kirk Clawson to approve the sale of salvaged brick for \$10,000, approximately 60,000 bricks to Ryder Brick at a cost of \$.16 per brick, seconded by Councilmember James McCormick. Motion carried. All present voting in favor.

The consensus of council was to direct city staff to examine the remaining brick pile after the sale to Ryder Brick and determine the city need for street maintenance and what would be available to the public.

2. Ordinance Setting Speed Limit on East E Street: Presented to Council was Ordinance 2018-4, an ordinance establishing speed limits on a portion of SE 10 Road east of South Main street and lying within the city limits of the City of Ellinwood. Staff explained Barton County has changed the speed limits on SE 10 Road, also known as East E Street and the City needs to adopt an ordinance setting the speed limits to be able to enforce the changes.

A motion was made by Councilmember Ken Lebbin to adopt Ordinance 2018-4, seconded by Councilmember Kirk Clawson. Motion carried. All present voting in favor.

3. Consider Charter Ordinance for Appointments of Personnel by Governing Body: Presented to Council was Charter Ordinance No. 11, a charter ordinance exempting the City of Ellinwood, Kansas from the provisions of K.S.A. 12-204 relating to appointment of city officers; duties and compensation; removal; and providing substitute and additional provisions on the same subject.

Issue was tabled due to a lack of 2/3 majority.

G. NEW BUSINESS:

1. Public Hearing on 2019 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.

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Mayor, Irlan Fullbright opened the public hearing on the proposed 2019 budget at 7:35 p.m. The only comment from the public was the size of the published print. After hearing no additional comments from the public, Mayor Fullbright declared the public hearing closed at 7:37 p.m.

2. 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 James McCormick to approve the 2019 proposed budget and adopt Ordinance 2018-5, an ordinance approving, adopting and appropriating, by fund the budget of the City of Ellinwood, Kansas for the year beginning January 1, 2019, seconded by Councilmember Kirk Clawson. Motion carried. All present voting in favor

3. KPP Update: Mark Chesney, General Manager/CEO of the Kansas Power Pool was present to provide an update on activities within the Kansas Power Pool. Mark described several important events coming up in the next few months and encouraged city council and city staff to attend:

- Annual Fall Planning Retreat – September 14th and 15th in Wichita
- Annual Rate Forum – November 1st in McPherson
- Annual Membership Meeting - December 14th in McPherson

4. Appointment of Voting Delegates to League of Kansas Municipalities: The annual conference for the League of Kansas Municipalities is scheduled for October 6th – 8th, 2018. It is necessary that a voting delegate and alternate be designated by the council.

A motion was made by Councilmember Ken Lebbin to designate Chris Komarek, City Administrator as voting delegate and Irlan Fullbright, Mayor, as alternate voting delegate, seconded by Councilmember Kirk Clawson. Motion carried. All present voting in favor.

5. Police Vehicle Replacement: Presented to council were 2 quotes for a police department vehicle to replace the 2011 Dodge Charger. Chief Bailey would prefer to purchase a Ford Explorer, which is a common vehicle used by many law enforcement agencies. The quotes for a Ford Explorer Police interceptor package were as follows:

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Marmie Ford-Great Bend	\$28,992
Midway Motors-McPherson	\$28,958

A motion was made by Councilmember James McCormick to approve the quote from Marmie Ford in the amount of \$28,992, seconded by Councilmember Ken Lebbin. Motion carried. All present voting in favor.

6. 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 fifteen (15) minutes for the review of confidential delinquent utility account information pursuant to KSA 45-221 (a) and KSA 75-431925 until 8:25 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 James McCormick. Motion carried. All voting in favor. The governing body recessed into executive session at 8:10 p.m.

Meeting reconvened into regular session at 8:25 p.m. No action taken.

After some discussion, a motion was made by Councilmember Ken Lebbin to approve for write off, the list of delinquent accounts totaling \$7,316.78, seconded by Councilmember James McCormick. Motion carried. All present voting in favor.

H. REPORTS:

1. Municipal Court Report: Presented to Council was the Municipal Court Report for July, 2018.
2. Utilities Production Report: Presented to Council was the Utilities Production Report.

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3. Staff Reports:

- a) Staff reported a pre-construction meeting was held last week in regard to the north channel entrance drive. He explained the railcars have been delivered.
- b) Staff reported police interviews were conducted today.
- c) Staff reported a meeting was held with the Ellinwood Chamber Board to review the AHF activities and explained that both parties felt it went very well.
- d) Staff explained that appointments will need to be made to the zoning board to fill vacancies.
- e) Staff reported the power plant will be generating periodically to provide experience for new employees. City crews will be doing work at the swimming pool after it closes to include putting up shade and doing some concrete work
- f) Staff reported he will begin working on receiving estimates for additional street work that can be done with excess bond monies.

- 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 James McCormick. Motion carried. All present voting in favor.

Irlan Fullbright, Mayor

Kim Schartz, City Clerk